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NAVAL POSTGRADUATE SCHOOL
Monterey, California

THESIS

CANADIAN BICULTURAL NATIONALISM:
IMPLICATIONS FOR NATO AND
NORTH AMERICAN DEFENSE

by

Phillip Joseph Keuhlen

June 1979

Thesis Advisor: D.P. Burke

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T189132

REPORT DOCUMENTATION PAGE

READ INSTRUCTIONS BEFORE COMPLETING FORM

1. REPORT NUMBER

2. GOVT ACCESSION NO.

3. RECIPIENT'S CATALOG NUMBER

4. TITLE (and Subtitle)
Canadian Bicultural Nationalism: Implications for NATO and North American Defense

5. TYPE OF REPORT & PERIOD COVERED
Master's Thesis; June 1979

6. PERFORMING ORG. REPORT NUMBER

7. AUTHOR(s)
Phillip Joseph Keuhlen

8. CONTRACT OR GRANT NUMBER(s)

9. PERFORMING ORGANIZATION NAME AND ADDRESS
Naval Postgraduate School
Monterey, California 93940

10. PROGRAM ELEMENT, PROJECT, TASK AREA & WORK UNIT NUMBERS

11. CONTROLLING OFFICE NAME AND ADDRESS
Naval Postgraduate School
Monterey, California 93940

12. REPORT DATE
June 1979

13. NUMBER OF PAGES
166

14. MONITORING AGENCY NAME & ADDRESS(if different from Controlling Office)

15. SECURITY CLASS. (of this report)
Unclassified

15a. DECLASSIFICATION/DOWNGRADING SCHEDULE

16. DISTRIBUTION STATEMENT (of this Report)
Approved for public release; distribution unlimited.

17. DISTRIBUTION STATEMENT (of the abstract entered in Block 20, if different from Report)

18. SUPPLEMENTARY NOTES

19. KEY WORDS (Continue on reverse side if necessary and identify by block number)
Canada
Biculturalism
Nationalism
NATO
NORAD

20. ABSTRACT (Continue on reverse side if necessary and identify by block number)

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#20 - ABSTRACT - CONTINUED

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Canadian Bicultural Nationalism: Implications for NATO and North American Defense

by

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Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF ARTS IN NATIONAL SECURITY AFFAIRS

from the

NAVAL POSTGRADUATE SCHOOL
June 1979

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INITIAL DISTRIBUTION LIST ---------- 166

I. INTRODUCTION

Canada's unique geopolitical situation has destined her to play a significant role in the North Atlantic Treaty Organization (NATO), and North American defense. Her 3,851,809 square miles, the second largest national territory in the world, lie astride the North American continent, flank the North Atlantic sea lanes, and separate two of the world superpowers.[1] Canada shares a long and virtually undefended border with the United States which stretches from the Straits of Juan de Fuca in the west, across the continent, to the Gulf of Maine in the east. In the north, Canada shares a great maritime frontier with the Soviet Union across the frozen and hostile wastes of the Arctic Ocean.

In the aftermath of World War II the emergence and confrontation of two perceived poles of world power and ideology, centered upon the United States and the Soviet Union, inspired Canada to be a prime mover toward and founding member of NATO. In the following decade and a half the development of atomic weapons, intercontinental bombers and intercontinental ballistic missiles highlighted the strategic importance of Canadian territory to the western alliance, especially the United States. Canada and the United States collaborated

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[1] E.B. Espenshade, Jr. and J.L. Morrison, eds., Goode's World Atlas, 15th ed. (Chicago: Rand McNally and Company, 1978), p. 230.

on a number of cooperative defense ventures which culminated in the North American Air Defense Command (NORAD). NORAD was initially designed to provide warning and defense against air attack upon the U.S. or Canada. In later years its charter was expanded to include warning of ballistic missile attack.

Many modern studies of Canadian defense policy have focused upon the problems Canadian policy makers have encountered in managing the cornerstones of Canadian defense, NATO and NORAD. Their analyses have suggested that Canada's participation in these organizations must be aimed at objectives other than national security.[2] McLin, for example, concluded that Canadian defense policy between 1957-1963 was shaped primarily by two non-military objectives, promotion of the interests of the Canadian defense industry and support of Canadian diplomacy. He argued that there were two particular objectives of Canadian diplomacy. First was enhancing NATO by promoting solidarity between the U.S. and Western Europe and between Britain and France. This was accomplished by showing "alliance mindedness" and increasing the incentive for other nations to fully participate in the alliance. The second objective was attaining general influence. In the early years of NATO Canada sought to attain

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[2]Jon B. McLin, Canada's Changing Defense Policy, 1957-1963 (Baltimore: Johns Hopkins Press, 1967); Colin S. Gray, Canadian Defence Priorities: A Question of Relevance (Toronto: Clarke, Irwin, 1972); and Melvin Conant, The Long Polar Watch: Canada and the Defense of North America (New York: Harper, 1962).

influence by maintaining forces of such size and quantity that their withdrawal would have severely reduced the collective security of the alliance. In later years, as Europe recovered from the devastation of World War II, the political and economic costs of Canada's NATO contribution burgeoned. This resulted in a shift in defense policy. The objective of the Canadian contribution then became the cultivation of influence within NATO through the distinctive nature of its contribution.[3]

One recent study of Canadian defense policy by a Canadian author argued that the "standard" interpretations of Canadian defense policy formulation contained a common major flaw.[4] They assumed that the close defense relationship between the United States and Canada, which had been expressed through NATO and NORAD, reflected the Canadian search for diplomatic influence and was a permanent and immutable feature of continental relationships. In contradistinction, Cuthbertson's line of reasoning assumed that the military relationship between the U.S. and Canada was conditional and that changing strategic circumstances had lessened the impact of diplomatic considerations rooted in the "continental imbalance" on Canadian defense policy formulation. New opportunities were thus presented in which NATO and NORAD might not

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[3]McLin, pp. 4-7.

[4]Brian Cuthbertson, Canadian Military Independence in the Age of the Superpowers (Toronto: Fitzhenry and Whiteside, 1978), p. xii.

be the central considerations and in which Canadian defense policy might be formulated primarily with reference to independent military objectives.[5]

Cuthbertson's work implicitly suggests the additional possibility that non-military but uniquely Canadian concerns might, in these changed circumstances, impact significantly upon the formulation and execution of Canadian defense and foreign policy. One domestic concern which might exert this type of influence on Canadian policy formulation is tension arising from bicultural nationalism and related issues. The decade from 1968 to 1978 was one in which recently politicized bicultural nationalism, with its roots in antagonism between the founding French and English "solitudes", was an issue at the forefront of Canadian domestic politics. During this decade language laws were passed in both Federal and Provincial legislatures, domestic violence increased dramatically, and diverse French-Canadian nationalist elements were united in the politically effective Parti Québécois with its avowed goal to separate Quebec from Canada.

It is the thesis of this study that at least one domestic objective, the suppression of divisive tendencies in the Canadian body politic stemming from bicultural nationalism, was a major determinant in Canadian defense policy formulation between 1968 and 1978. This thesis has been tested by two main lines of investigation. First,

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[5]Cuthbertson, pp. 258-276.

changes in policy toward the traditional focal points of defense policy, NATO and NORAD, were identified and related with domestic concerns about bicultural nationalism. Finally, changes in the structure, missions, and practices of the Canadian Armed Forces were identified and related with domestic concerns stemming from bicultural nationalism. This research has substantially demonstrated that domestic concerns related with bicultural nationalism were a significant determinant in the formulation of Canadian defense policy in the decade between 1968 and 1978. Additionally, the escalation that occurred in the importance of this bicultural nationalism affected Canadian participation in NATO and NORAD.

II. BICULTURAL NATIONALISM

A. DEFINITIONS

Before the effects of bicultural nationalism on Canadian defense policy can be ascertained, and before the implications of any change in the determinants of defense policy for NATO and North American defense can be assessed, it is necessary to come to grips with the concept of bicultural nationalism. This task is easier if its components, cultural nationalism, culture, and nationalism, are considered independently.

1. Nationalism

Nationalism is the spirit of devotion to the interests, advancement, or independence of one's nation. These interests are usually considered to be separate from those of other nations or the family of nations.[6] A nation in this context is taken in the sociological sense of a people defined by such attributes as their common ethnic stock, territorial association, collective personality or history, and common language.[7] Ultimately, nationalism is subjective

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[6] Janice L. Murray, ed., Canadian Cultural Nationalism (New York: New York University Press, 1977), p. 45.

[7] John Trent, "Common Ground and Disputed Territory" in Richard Simeon, ed. Must Canada Fail? (Montreal: McGill-Queen's University Press, 1977), p. 139. Not all of these attributes are required to be present for nationalism to exist nor is the list comprehensive. Additional attributes might be common social structures, religions, etc.

since recognition of the unified entity of a people by its individual members and the will among them to continue that association are generally conceded preconditions for the existence of a nation and nationalism.[8]

In Canada two nations and hence, two nationalisms have existed since its foundation. These are associated with the French and English "Charter Groups."[9] Over the years since the British conquest of Canada, English-Canadian national identification has, for a variety of geographic, demographic, and economic reasons, become more common than French-Canadian identification and it is generally the national identity associated with the Canadian state.[10]

2. Culture

Culture may be defined in a narrow or broad sense. In the narrow sense, culture is that which is excellent in the arts, letters, manners, and scholarly pursuits of a society. In the broader sense, culture is the sum of the

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[8]Arend Lijphart, ed., World Politics (Boston: Allyn and Bacon, Inc., 1966), pp. 73-81. Ernst Renan in a classic definition of nations (1882) dismissed concrete attributes for the definition of the nation altogether and made his definition contingent only on the subjective identification of men with the "soul" of a nation.

[9]John A. Porter, The Vertical Mosaic (Toronto: The University of Toronto Press, 1965).

[10]W.L. White, et al., Introduction to Canadian Government and Politics, 2nd ed. (Toronto: Holt, Rinehart, and Winston of Canada, Ltd., 1977), p. 25. The association of a nation with a state might be called political nationalism. See infra. pp. 21-22 on the significance of political nationalism in Canada.

values of a society reflected in the distinctive ways its members live, think, act, and react to their environment.[11] In the latter sense, national culture is implied or explicit in most usage. In Canada two broad cultures can be identified which parallel the national identities. The coexistence of these two cultures has given birth to the term biculturalism.[12]

3. Cultural Nationalism

Cultural nationalism is the assertion, preservation, and development by a nation of those elements of its associated culture which establish its distinctive national identity.[13] Cultural nationalism has usually been a tool for smaller nations which share major elements of language or culture with larger or more important ones.[14] In Canada two cultural nationalisms have evolved centered on the French and English Charter Groups. Both have had multiple foci.

French-Canadians have developed two distinctive focal points for their cultural nationalism. In the first instance it has been oriented against the federal government.[15] This focus evolved from the perception in Quebec that a sound

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[11] Murray, ed., pp. 16,50.

[12] In point of fact, recent Canadian policy has attempted to cultivate multiculturalism in a uni-national state by maintaining ethnic cultures while promoting an overarching Canadian national identity.

[13] Murray, ed., p. 16.

[14] Ibid., p. 46.

[15] Ibid., p. 47.

economy was necessary if an infrastructure was to be built in which French-Canadian culture might flourish. It was recognized that the requisite funding for economic development was available only through the Federal government, and that acceptance of it ensured increased intervention of the Federal government in the affairs of the Province. Since French-Canada has always feared strangulation and resisted Federal control over its destiny, cultural nationalism was a natural result of economic development.[16] Additionally, cultural nationalism directed against the Federal government has inescapably been associated with resistance to the influences of American and English-Canadian culture.[17]

The second focus of French-Canadian cultural nationalism has been resistance to cultural domination by France. The Québécois milieu, as well as the patterns, intonation, and accent of the French spoken in Quebec, are distinctly different from those found in France. This creates economic incentives for artists to appeal to a larger audience, and a tempting social incentive to associate with the larger Francophone Metropole.[18] The alternative to this dominance is the cultivation of the language and culture of Quebec as a distinct and vital entity formed through three and a half centuries of rugged experience. Cultural nationalism in this

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[16]Ibid., p. 49.

[17]Ibid.

[18]Ibid., pp. 46-48.

context rejects the idea that the values of French culture have greater virtue than those of cultures which have a common ethno-linguistic heritage but independent development.

In English-Canada cultural nationalism has also had two focal points, Great Britain and America. Canadian consciousness in the nineteenth and early twentieth centuries, for instance, was bounded by its self-concept as an imperial outpost: British North America. With this outlook English-Canadian cultural nationalism was primarily directed at excluding American influences and cultivating European, especially British values.[19] Coterminously a growing minority of English Canadians was attempting to develop a distinctive Canadian culture. Some saw this in terms of the development of a common continental outlook shared with their southern neighbor. Others believed that Canadian culture should be distinct from American culture, embodying evolutionary adaptation of British institutions and culture to a new context and rejecting the revolutionary republicanism to the south.[20]

There can be no doubt that American cultural influence, which had been significant in Canada since the Tory emigrations during the Revolutionary War, was becoming increasingly important by the turn of the century. The pattern of southern settlement in Canada ensured intimate contact between the

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[19]Ibid., pp. 17-20.

[20]Ibid.

populations of the two countries. Indeed it often seemed, with the state of Canadian communications and the high degree of regional isolation, that there was a greater north-south continental identification outside Ontario and Quebec than there was east-west Canadian identification.[21] Changing patterns in Canadian business investment encouraged an influx of American capital, ownership, and management techniques.[22] In education, the American university system was adopted wholesale.[23] Finally, the changing pattern of immigration, with its shift away from the British Isles toward the United States and Europe, enhanced the appeal of a North American, rather than British North American, identity.[24]

The First World War was the pivotal event in the transformation of English-Canada from a British North American to an American nation. The high casualty rates and internal divisions suffered by Canada encouraged doubts about the wisdom of intimate relations with Europe and the Empire while irritations with British conduct of the war furthered Canadian alienation.[25] The conscription crisis of 1917, although usually described in terms of English vs. French political nationalism, provides a vivid example of this shift. While French Canadians tended to be staunchly monarchist and to

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[21]White, et al., p. 9

[22]Murray, ed., p. 22.

[23]Ibid., pp. 30-31, 35-36.

[24]Ibid., p. 22.

[25]Ibid., pp. 25-26.

value British support in preserving Canada's distinct status in North America, they perceived their responsibilities to the Empire strictly in terms of the defense and development of that portion of the Empire in which they lived.[26] This tradition, which had extensive support from Canadians outside the French-Canadian community as well, had been well represented by the Prime Minister, Sir Wilfred Laurier, who had resisted Imperial Federationalists at imperial conferences and had proposed instead the idea of autonomy within the Empire.[27] Canadian participation in the Boer War was sharply circumscribed on this basis in spite of extensive internal and external pressures for closer imperial cooperation. In 1917 the passage of the Compulsory Civil Service Act, conscripting men between 20 and 45 for what was perceived in many quarters as an imperial rather than North American war, resulted in resistance to conscription and rioting in Quebec

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[26] Ibid., p. 20. Armand Lavergne, a French Canadian officer, for instance, told the Canadian Military Institute in 1910:

> "...I wish you to understand that although the French Canadians may differ with you in many ways and means on the subject of "National Defense," there is one thing you must not forget, and that is, that the spirit of the French Canadians is the same today as in 1775 and 1812. The Nationalists of Quebec today are willing and ready to give their last drop of blood for the defence of the British Flag and British institutions in this country. We are loyal just as you are, but we understand that our duty as Canadians, and as part of the Empire is to build up a strong Canada by preparing in Canada a strong national defence."

[27] H.J. Massey, ed., The Canadian Military (Toronto: Copp Clark Publishing Company, 1972), p. 31; and White, et al., p. 193.

in 1917 and 1918.[28] Eventually reaction against the devisive domestic effects of the "Imperial Spirit" catalyzed Canadian rejection of close British cultural ties.

Although English-Canada rejected European encumbrances in the aftermath of World War One and embraced her destiny as a North American nation, the transition was not easy or happy. A distinctly Canadian culture did not automatically evolve, and intimate contact with the United States to the south resulted in suspicion that, in the absence of specific measures to encourage and nurture Canadian culture, becoming North American had meant only becoming American.[29] Out of this process a more complex English-Canadian cultural nationalism emerged. While it now clearly rejected the previous British cultural orientation, English-Canada suffered in the throes of a classical approach-avoidance conflict with respect to American cultural institutions.

Since 1926, the year in which Canada first sent a minister to Washington and in which Canadian trade with the United States first exceeded that with Great Britain, the scope and complexity of economic, social, political, and military relations between Canada and the United States have increased dramatically. Concurrently, Canadian concern with American cultural imperialism has been reflected in a

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[28]William L. Langer, ed., An Encyclopedia of World History, 5th ed. (Boston: Houghton Mifflin Company, 1972), p. 1054.

[29]Murray, ed., p. 37.

growing number of public enquiries.[30] In the period since World War Two the thrust of English-Canadian cultural nationalism has clearly been to nurture the development of a distinctive Canadian culture while minimizing the impact of American institutions on that development. The earlier anti-British focus of the twenties and thirties has been completely overtaken by events. This new thrust has been reflected by a growing cultural protectionism on the part of the Canadian government.[31] While this protectionism has been positive in orientation, attempting to foster strictly Canadian development, it has often been interpreted as anti-American in tenor.[32] For Canadian cultural nationalists the intervention of the state in cultural matters is often

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[30]Parliamentary enquiries started as early as 1932. Several Task Forces and Royal Commissions have ensued: Royal Commission on the Arts, Letters and Sciences (1950), Royal Commission on Broadcasting (1957), Royal Commission on Publications (1961), Task Force on Foreign Ownership and the Structure of Canadian Industry (1968), Special Senate Committee on the Mass Media (1970).

[31]A partial list of protective actions includes: National Film Board (1939), Canada Council (1957), Canadian Film Development Corporation (1967), Amendment of Customs Act (1965) to exclude foreign periodicals with advertisements aimed at Canada, Amendment of Income Tax Act (1976) to require 75% Canadian ownership of periodicals and 80% Canadian (as opposed to foreign) content before advertising was tax deductible, Canadian Broadcasting Corporation (1936), Broadcast Act of 1958, Canadian Radio-Television Commission (1968), Foreign Investment Review Act (1973).

[32]Murray, ed., p. 57.

cultivated to provide a further distinction from the free-enterprise culture of the United States.[33]

4. Politicization

Bicultural nationalism refers to the existence of two clearly distinct cultural nationalisms in Canada which represent the French and English "facts" of its social history. In spite of bicultural nationalism the primary political referent of both English and French Charter Groups has been the Canadian State, presented by the Federal government. Even when internal divisions over policy have occurred along national or cultural lines, such as the Conscription Crises and education, there has been no real suggestion, except at the political fringes, that the Charter Groups ultimately shared different political loyalties.[34]

Within the recent past, largely as a result of Quebec's Quiet Revolution in the early 1960's, a transformation of the primary political reference of the French-Canadian nation has occurred. For the Québécois the primary political referent is not the Canadian nation-state stretching from sea to sea, but the French-Canadian nation-state whose political entity is embodied in the Provincial government and territory of Quebec.[35] This development has changed the purely social

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[33]Ibid., p. 17.

[34]Infra., p. 17, n. 26.

[35]Quebec, Minister of State for Cultural Development, Quebec's Policy on the French Language (Quebec: L'editeur Official Du Quebec, 1977), p. 51.

connotation of the term "bicultural nationalism" to include the political aspects of this emerging schism in the Canadian body politic. It is the threat of political schism recently attached to bicultural nationalism which has made this domestic issue a vital concern in the formulation of Canadian defense and foreign policy.

B. EARLY HISTORY OF THE FRENCH-CANADIAN NATION

The successful settlement of New France (Canada) is usually dated from 1608, the year in which Samuel de Champlain founded the settlement of Quebec. French settlers along the St. Lawrence River and its tributaries established a relatively closed rural society. The land was fertile and easily supported subsistence farming for these settlements which held the key to the interior of North America. In spite of the extension of European wars to the North American colonies, and in the case of the Seven Years War the extension of an American war to Europe, a tough and durable French society and pattern of life had been established by the time of the English conquest (1759) and the cession of Canada, Acadia, and Cape Breton to Great Britain (Treaty of Paris, 10 February 1763).[36]

The French fabrique had developed a strength and homogeneity in the French-Canadian society. The pattern of life embraced conservative traditional values based upon religion and

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[36]For a superb account see Rioux, M. and Martin, Y., French Canadian Society, (Toronto: McClelland and Stewart, 1964). This book discusses the institutions of early Canada and the evolution of French-Canadian society.

the family. Authority had been vested primarily in the Roman Catholic ecclesiastical hierarchy and, to a lesser extent, the secular seignurial system. Passive obedience to the Bishop and intendants had been the norm.[37]

The French community, defined by its language, religion, and socio-political structure, was well suited for survival in the midst of the commercial and entrepreneurial milieu of British North America. Initially, Quebec turned inward. The religiously-based political ideology was deeply suspicious of the corrupt secular state. Such secular leadership as existed was in the hands of community notables, the doctors, lawyers, and other professionals. The church and family, bastions of Quebec society and values, were a bulwark shielding it from dangerous modern influences and protecting its identity. The rural agrarian tradition was cultivated while participation in and control of commercial life was eschewed and forfeited to English-Canadians.[38]

Politically, the identity of the French "charter group"[39] was protected over the course of two centuries by a series of devices. Upon British accession of Canada in 1763, freedom of religion for the Roman Catholic population was

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[37]White, et al., pp. 11-13.

[38]James DeWilde, "The Parti Quebecois in Power" in Richard Simeon, ed. Must Canada Fail? (Montreal: McGill-Queen's University Press, 1977), pp. 20-22; and White, et al., p. 13.

[39]Porter, op. cit. Porter refers to the two founding people in Quebec as "Charter Groups," thus signifying their special status in Canadian history and contemporary affairs.

affirmed.[40] Although nothing was said about language or ethnic origin, this was clearly an early step to recognize that Quebec was a well-established and distinctive community that could not be made over in the American mold. While agitation for complete assimilation continued by the English minority, the British authorities responded gradually to petitions by the French populace. In 1766 the French language gained its first official sanction in the British North American colonies when an ordinance was passed which allowed French-Canadian lawyers to practice in all courts and which permitted mixed language juries.[41] In 1771 the French seignurial system of land tenure was recognized for past land grants in Quebec and confirmed for continued use on future grants of new lands.[42] Three years later in 1774 the Quebec Act confirmed the use of French civil law in all of Quebec. Although no mention of language was contained therein, the Legislative Council mandated by the Act functioned in both French and English.[43]

Thus, by 1774, the bicultural nature of Canada was established and institutionalized. The religious, legal, and

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[40]Canada, Royal Commission on Bilinguialism and Biculturalism, Report of the Royal Commission on Bilingualism and Biculturalism, 5 vols. (Ottawa, Queens Printer, 1969), Book I, p. 43.

[41]Ibid.

[42]Ibid.

[43]Ibid., p. 44.

language attributes of both the French and British cultures were officially sanctioned. While one might have expected the common elements of the Western, Judeo-Christian heritage of these two cultures to complement and support one another, this has not been the case. Throughout Canadian history the differences between the two cultures and the resultant tensions have had far greater political significance than any similarities.

In 1791 the Canada Act, also known as the Constitutional Act, partitioned Canada into Upper and Lower Canada along language lines in an attempt to reduce friction between French and English colonials.[44] Although the tensions were not mitigated by this legislation, the partition experience did create a precedent for territorial definition of the French community in Canada. In 1840, after the publication of the famous Report on the Affairs of British North America by Lord Durham, the Act of Union reunited Upper and Lower Canada.[45] Section XLI of that Act, which was repealed by the United Kingdom Parliament in 1848, required that all records and proceedings of the new Legislative Assembly established by the act be in English. After the repudiation of

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[44] Ibid.

[45] Ibid., p. 46. Although there was one legislature, important matters required a dual majority, that is a majority of both the French and English speaking legislators.

this measure in 1848 all bills in the Canadian Legislative Assembly were assented to in English and French.[46]

In 1867 the British North America (B.N.A.) Act specified, in Section 133, the legal foundation for French and English language rights in the Federal and Quebec Provincial regimes. Under this legislation either language was permissible for use in legislative debates while the use of both languages in the Records and Journals of the respective legislative bodies was mandatory. All Acts for Canada and Quebec were required to be published in both languages. In addition, there were provisions in Section 133 for the use of either language in pleading before Federal or Quebec courts, and in Section 93 for the protection of the Roman Catholic school system in Quebec. The latter was clearly intended to provide protection for the separate French school system in Quebec.[47]

The B.N.A. Act of 1867 is the basic document in the Canadian constitution and it continues to be the legal foundation of linguistic rights in Canada. Sections 93 and 133 of the B.N.A. Act of 1867 may not be amended by the Parliament of Canada.[48] Although Section 133 provides linguistic

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[46] Ibid.

[47] Ibid., p. 47; and White, et al., pp. 52, 185. In actuality Section 93 reaffirmed existing rights for parochial education and its wording was specifically designed to provide protection against that for the English minority.

[48] See Infra., pp. 59-60 for a complete description of the subsidiary parts of the Canadian constitution and why Sections 93 and 133 may not be amended.

guarantees, its scope is very limited. It is not clear, for example, where jurisdiction with respect to language lies within the federation from Section 133. Additionally, administrative law, proceedings in courts with attributed federal jurisdiction, quasi-judicial bodies, and the civil service are not subject to language requirements under this section.[49]

In provinces outside Quebec, French Canadians have rarely enjoyed even the limited protection of language rights given Quebekers under Section 133. Manitoba had a high degree of officially sanctioned bilingualism from its formation in 1870 until 1890 when the English Language Act (Manitoba) created official unilinguism.[50] Official bilingualism was sanctioned in the Northwest Territories in 1877 by amendment of the Northwest Territories Act. As in Manitoba this was later reversed, again by amendment, in 1892.[51] It is interesting to note that no proclamation of the 1892 amendment has been shown to exist. Since the proclamation is a legal

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[49]Canada, Royal Commission on Bilingualism and Biculturalism, Book I, pp. 52-55.

[50]Ibdi., pp. 49-50. Manitoba's return to unilinguism was caused by assimilationist and anti-Catholic sentiment associated with new waves of immigration, by electoral redistribution which reduced the political voice of its declining French minority, and by the political influence of the Orange Orders.

[51]Ibid., pp. 50-52. The Northwest Territories' return to unilinguism was caused by the anti-French, anti-Catholic campaign which was triggered by the passage by the Quebec legislature of the Jesuits' Estates Act in 1888. The latter was associated with the political climate resulting from the Northwest Territories' rebellion of 1885 and the circumstances surrounding the execution of L. Riel. The political influence of the Orange Orders was also important in this case.

requirement which must be fulfilled before the amendment can enter into force, a technical argument can be made which casts doubt upon the constitutionality of the official unilinguism of the Northwest Territories. Additionally, since the Yukon Territory, Alberta, and Saskatchewan were created from the Northwest Territories after 1892 and have never expressly renounced bilingualism the objection to Manitoba's unilinguism may be extended to their currently unilingual practices.[52]

Prime Minister Lester Pearson succinctly summarized the essence of the Canadian social compact which prevailed through the beginning of the Quiet Revolution in these passages from his speech of 17 December 1962 in the House of Commons:[53]

> "Confederation...was an understanding or a settlement between the two founding races of Canada made on the basis of an acceptable and equal partnership...
>
> To French-speaking Canadians Confederation created a bilingual and bicultural nation...
>
> English speaking Canadians agree, of course, that the Confederation arrangements protected the rights of French-Canadians in Quebec, in parliament and in federal courts; but most felt - and I think it is fair to say this - that it did not go beyond those limits, at least until recently. This meant that, for all practical purposes, there would be an English-speaking Canada with a bilingual Quebec. What is called the 'French fact' was to be provincial only..."

C. THE QUIET REVOLUTION

Traditionally, French-Canadian nationalism was concerned with the protection of a community defined by its faith and

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[52] Ibid.

[53] Lester B. Pearson, Mike, 3 vols. ed. J.A. Munro and A.I. Inglis (New York: Quadrangle Books, 1975), Vol. III, pp. 67-68.

its language. Politically, French-Canadians sought to isolate Quebec and shield it from dangerous "modern" influences. The predominant political ideology in Quebec was religiously based and deeply suspicious of the secular state. The church and the family were regarded as the main strongholds of French-Canadian culture and were charged with preservation of the identity of the French-Canadian nation.[54]

Federalism was expected to provide minimal guarantees of cultural protection. These were contained in Sections 93 and 133 of the B.N.A. Act of 1867 and were associated with language and religion. Quebec's distinctive civil law, a remnant of her French colonial origins, ensured that the legal system would reflect the dominant cultural values of the French-Canadian nation.[55] Traditionally the provincial government did not intervene directly to preserve French-Canadian culture, but rather provided official sanction for the church and private organizations.[56]

The last traditional provincial government in Quebec, headed by Premier Maurice Duplessis, was consistent in its fidelity to the values of the past. Standing squarely for the preservation of culture, the Duplessis government

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[54]George Radawanski, Trudeau (New York: Toplinger Publishing Company, 1978), pp. 311-313; White, et al., pp. 12-14, 18, 24-25; DeWilde, p. 20; and A. Brady, "Quebec's Quiet Revolution," in P. Fox, ed. Politics: Canada 3rd ed. (Toronto: McGraw-Hill, 1970).

[55]DeWilde, p. 20.

[56]Ibid.

perpetuated old and treasured myths such as the Revenge of the Cradle and Language as the Keeper of the Faith while assuring English-Canada of a continuing supply of under-educated and compliant labor.[57] The task of the development of Quebec was left to English-Canadian capital. It advanced Quebec's industrialization by transferring control of resources to outside interests while the Duplessis regime kept the lid on concommitant social pressures arising from inudstrialization and urbanization.[58]

In 1959 Maurice Duplessis died. His replacement in 1960 by the Liberal government of Jean Lesage ushered in profound and rapid changes in the ideological, social, political and economic structures of Quebec which have become known collectively as the Quiet Revolution.[59] This transformation, which belatedly dragged Quebec and the French-Canadian nation into the twentieth century, stressed and ultimately destroyed the traditional roles of the foundations of old French culture: the state, the Roman Catholic Church, and the family.

The Church, which has traditionally been perceived as the principal pillar of authority in Quebec because of its supposed influence as a kingmaker for secular governments, was the first casualty. Lesage eschewed alliance with the

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[57] René Lévesque, "To Be Masters in Our Own House," in W. Kilbourn, ed. Canada: A Guide to the Peaceable Kingdom (New York: St. Martin's Press, 1970), p. 243.

[58] DeWilde, pp. 17, 20. The social doctrines of the Roman Catholic Church, as reflected in the Catholic trade unions, were a source of such pressures.

[59] White, et al., p. 181.

Church in his campaign and maintained his independence when elected.[60] Lesage's government encouraged industrialization and modernization by attracting private investment and creating a vigorous public sector.[61] Where Duplessis' regime had resisted social and political change in the wake of Quebec's initial industrialization, Lesage's encouraged it and secularization spread rapidly. At the private level church attendance dropped dramatically, while at the public level a secular education system was established.[62]

Within a relatively short time the education system adapted to the demands of industrialization and Quebekers began to enjoy significantly improved skills. Where two-thirds of all adults in Quebec had a sixth-grade education or less in 1958, high school graduation became the norm overnight. From this springboard a growing number of French-Canadians entered the professions as well as fields of academic pursuit, such as economics, administration, and engineering, that had previously been the privileged domain of English-Canadians.[63]

As the pace of social change was accelerating in Quebec, Canada as a whole was experiencing evolutionary social

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[60]Radwanski, p. 312.

[61]White, et al., p. 181.

[62]DeWilde, p. 18.

[63]Lévesque, "To Be Masters in Our Own House," pp. 243-244; and Porter, pp. 275, 278, 286.

changes in the role of the family. Urbanization, the generally higher level of education, and the explosion of communication and information contributed to a more sophisticated and free-wheeling national life style.[64] Within Quebec the congruent decline of the Church accelerated the deterioration of social stability associated with these changes in family life. This change had a much greater impact in Quebec than the rest of Canada because of this acceleration and because of the relatively larger initial contribution the family had made to the stability of French-Canadian society.[65]

The Quiet Revolution spilled over into diverse areas with synergistic effects as the rehabilitated public administration of Quebec, backed by revelations of economic growth and a growing acceptance of the role of th state in achieving it, undertook electoral reform and the building of modern highways and introduced a new pension and social security plans.[66] Under the leadership of Lesage and his successors Johnson, Bertrand, and Bourassa, the provincial government played two distinct roles. First, it was used to force open the doors of industry, forcing it to provide more jobs and services in French, and to conduct its operations, particularly advertising, in consonance with the Quebec milieu. Second, the state came to be seen as an agent whose expansion

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[64]Radwanski, p. 312.

[65]Ibid.

[66]Lévesque, "To Be Masters in Our Own House," p. 244.

would increase the economic and political power of French-Canadians. The expansion of bureaucracy and state enterprises such as Hydro-Quebec vastly enlarged the avenues of advancement open to those with technocratic and administrative skills.[67]

The changing role of the Quebec provincial government was especially critical. As Quebec emerged from its cocoon, French Canadians increasingly found themselves in direct competition with English-Canadians for the fruits of industrial society, whether they were skilled jobs or tax revenues. As they sought entry to the highest positions in the Canadian economy, Quebekers confronted the fact that it was predominantly owned and managed by English-Canadians.[68] In the midst of its revolution of rising economic expectations the French-Canadian nation perceived that the key to its ultimate potential for realization of those expectations was held by the English-Canadian and American elites of the economic structure and the federal government.[69]

The coincidence of rising expectations, restraint of advancement along ethnic lines, and expanding political means resulted in an evolution in French-Canadian cultural nationalism with far-ranging implications for the Canadian

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[67]DeWilde, p. 18.

[68]Ibid.

[69]White, et al., pp. 24-25.

state. The achievement of national cultural aspirations was increasingly associated with the political acts of the government of Quebec. The traditional means of cultural preservation were no longer effective in French-Canada.[70] Once this identification was made, the politicization of French Canadian nationalism became an inevitable development. The legacy of the Quiet Revolution was the assertion, and growing belief, that the French-Canadian nation required its own sovereign state in a French-speaking homeland to secure the safety of its collective personality.[71]

D. DOMESTIC DEVELOPMENTS, 1968-1978

1. Challenge to Federalism: The Rise of the Parti Quebecois

The Quiet Revolution established the conditions necessary for the assertion of a sovereign and independent French nation-state in Quebec. While the majority of politically active Quebekers eased toward the conclusion that a new position must be created for Quebec in the federal system a number of small groups began to be formed which urged separation of Quebec from Canada. The first was the right-wing Alliance laurentienne, formed in 1957 by Raymond Barbeau. On the left was L'Action socialiste founded in August 1960 by Raoul Ray, publisher of La Revue sccialiste. In September 1960, the most important of the early parties, the

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[70] DeWilde, pp. 20-21.

[71] Trent, pp. 139-141; and René Lévesque, Option Québec (Montreal: Les Editions De L'homme, 1968).

Rassemblement pour l'independence national (RIN) was founded. After fierce internal battles over organization, ideology, and leadership Pierre Bourgalt emerged as the leader of RIN and its left-radical ideology.[72]

In 1963 the Front de Libération du Québec (FLQ) was formed by a small group of Quebec radicals.[73] All were veterans of previous left-wing political organizations and the French-Canadian separatist organizations who were convinced of the futility of electoral struggle and legal or para-legal social agitation as vehicles of change in Quebec.[74] While laying the foundation of a clandestine revolutionary organization the FLQ executed a program of social agitation among workers in Montreal. At the end of 1965 a number of developments affecting the organization of small left-wing parties in Quebec convinced the FLQ to abandon social agitation and concentrate on revolutionary terror which would "give the masses of Quebec both the means (ideological and technical) and the opportunity for economic, political, and cultural liberation."[75]

In 1966 the Ralliement national (RN) was created by the merger of several conservative nationalist groups just before

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[72]John Saywell, The Rise of the Parti Québécois 1967-1976 (Toronto: The University of Toronto Press, 1977), pp. 1-8.

[73]Radwanski, p. 323.

[74]Pierre Vallieres, White Niggers of America, trans. Joan Pinkham (New York: Monthly Review Press, 1971), p. 213.

[75]Ibid.

the provincial elections. The June elections were contested by both the RN and the RIN. The RN ran ninety candidates and received 3.2 percent of the popular vote while the RIN ran seventy-three candidates and received 5.6 percent of the vote.

On 18 September 1967 a veteran member of the Liberal Party of Quebec (LPQ) and a former minister in the Lesage government, René Lévesque, spoke to his riding association in Montreal Laurier for three hours reviewing the history of English-French relations and concluding that Quebec should seek independence from Canada, followed by economic union. The speech was published in Le Devoir September 19-21 and became the basis for the debate about federalism at the convention of the Quebec Liberal Federation in October.[76]

Lévesque's stance was repudiated by the Liberals and he subsequently resigned from the party to found the Mouvement Sourveraineté Association (MSA) in November of 1967. This development complicated the already complex situation surrounding French-Canadian political nationalism. The movement, if it could be called that, was ideologically fragmented along the entire left-right spectrum and the two major coalitions, RN and RIN, were riddled with internal disputes. Within a year Lévesque had managed to forge a single movement from these elements unified by its dedication to objectives which included the creation of a sovereign French-language

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[76]Saywell, pp. 9-16.

state and the negotiation of a treaty with Canada for an economic association in the form of a tariff and monetary union. The Parti Québécois (PQ) was born in Quebec City, 11-14 October, 1968, from the ashes of the RN, RIN, and MSA.[77]

The new French-Canadian nationalism which developed under the cultivation of the PQ was distinctly different from traditional forms and extended the transformations of the Quiet Revolution. The new nationalism was intimately associated with the growth of a French middle class and accepted the logic of social and economic modernization: Quebec had to be a fully "North American" society. Instead of being inward-looking and attempting to isolate French and English in separate spheres, the new technocrats were activists: they sought an expanded political frame of reference and penetration of all sectors of modern economic life. Quebekers wanted to develop new forms of competition with English-Canada.[78]

The new nationalists wanted to challenge Ottawa directly to recover powers and revenues.[79] Lévesque spoke of a "sclerosis of Canadian institutions", caused by conflicting attempts of federal and provincial governments to enforce overlapping laws and regulations, benefitting different constitutencies.[80] The PQ leadership had supplanted the

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[77]Ibid., pp. 18-22.

[78]White, et al., pp. 24-25.

[79]DeWilde, p. 21.

[80]Trent, pp. 140-141.

traditional suspicion of the state with a belief that Quebec's strong, centralized state was the best instrument for survival and development.[81]

The PQ leadership argued that reconciliation between Quebec and Canada was impossible. The basic, bare-minimum terms which were demanded by the French-Canadians far exceeded the best intentions of English-Canada.[82] Lévesque argued that Canadian federal institutions were so fragile that any attempt by a Prime Minister to meet Quebec's minimum requirements would shatter the Confederation. In his estimation, and that of other PQ leaders such as Jacques Parizeau, the federal government had already been decentralized to such an extent that major revisions were required to build central authority if it were to survive. Hence the vital interests of Quebec and Canada were perceived to be diametrically and immutably opposed.[83]

The PQ contested provincial elections in Quebec in 1970, 1973, and 1976. Its initial appeal was confined to working-class constituencies in urban areas such as East Montreal. By developing the variety of issues to which it spoke and by mobilizing a militant, young, idealistic and highly

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[81] Lévesque, "To Be Masters in Our Own House", p. 246.

[82] Trent, p. 141. The demands included: jurisdiction over its economy, social security and welfare, culture, international relations, citizenship, immigration and employment, massive transfer of fiscal resources, and restructured federal institutions.

[83] Trent, pp. 140-141; and Lévesque, "To Be Masters in Our Own House," pp. 245-250.

resourceful grass roots movement the initial constituencies were steadily expanded.[84] In 1970 the PQ garnered 23 percent of the popular vote and seven seats of 108 in the National Assembly.[85] After the initial disappointment of this showing, the PQ began to regroup and prepare for the next elections.

In the intervening months events both hindered and assisted the PQ. One event which really hurt was the October Crisis of 1970. Since its beginning in 1963 the bombings, holdups and other terrorist activities associated with the FLQ had steadily expanded. Between 1963 and 1967 the FLQ had planted approximately 35 bombs and perpetrated eight holdups. Between 1968 and 1970 the numbers had mounted to approximately 55 and 20 respectively. In 1969 a single FLQ bomb detonation at the Montreal Stock Exchange had caused 217 injuries and by the fall of 1970 six lives had been claimed by FLQ activities.[86]

On 5 October 1970 British Trade Commissioner James Cross was kidnapped by a cell of the FLQ which demanded the release of 123 prisoners, the payment of a large ransom, and the publication of their manifesto. As the deadline was reached for those demands, on 10 October, another FLQ cell kidnapped Pierre Laporte, Quebec's Minister of Labor. On

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[84]DeWilde, p. 16.

[85]Saywell, p. 44.

[86]Radwanski, p. 323.

12 October the Prime Minister called troops to Ottawa to assist civil authorities (the RCMP) in protective and security duties.[87] On the 15th, following a declaration the previous day by several prominent Quebec citizens which indicated a lack of will to resist the deterioration of civil order in Quebec, the attorney general of Quebec requested federal troops, under the provisions of the National Defense Act, to provide aid of the civil power to assist Quebec's Provincial Police and maintain order.[88] On the following day, following receipt of letters from Quebec provincial authorities and Montreal municipal authorities, the War Measures Act was invoked after a perfunctory debate in Parliament.[89] On 18 October, as negotiations dragged on, Pierre Laporte was murdered causing an extensive civil uproar. The crisis was finally terminated on 3 December when Cross was located and his release, in exchange for the deportation of several criminals to Cuba, was secured.[90]

The October Crisis galvanized opinion against separatists of all ilks by identifying ultra-radicalism with ultra-nationalism.[91] While it was a definite setback for the PQ, its effects were all but overcome by the end of 1971. A

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[87]Guy Morchain, "Peace-Keeping At Home," Sentinel, Vol. 7, no. 2, (February-March 1971): 2.

[88]Ibid., p. 2; and Radwanski, pp. 326-330.

[89]Morchain, p. 3; and Radwanski, pp. 328-330.

[90]Morchain, pp. 7-8.

[91]Saywell, p. 52.

particularly grisly confrontation between police and trade unionists in front of the newspaper La Presse on the night of 29 October 1971 resulted in one death, over 70 injuries, and about 30 arrests. The effect on the formerly moderate portions of the trade union leadership in Quebec was dramatic and the PQ finally collected endorsements from the Fédération des travailleurs du Québec (FTQ), Confederation of National Trade Unions (CNTU), and Corporation des enséignants du Québec (CEQ), Quebec's most influential unions.[92]

In spite of these developments the PQ did not triumph in the 1973 provincial elections. In a straight two-party fight, which pitted the Liberal promise of cultural sovereignty against the PQ promise of political sovereignty and which hinged on sensational exploitation of speculation about the consequences of political separation, the PQ gained thirty percent of the popular vote but collected only six seats in the National Assembly.[93]

In 1974 the PQ weathered an internal leadership crisis which turned upon disagreements over organization, tactics and Lévesque's leadership before settling into opposition again.[94] In September and October a reappraisal was made of the party platform and it was modified at the PQ convention in November to provide for consultation by referendum in the

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[92]Ibid., pp. 55-67. The CEQ was a teachers union. FTQ and CNTU were governing bodies for provincial unions in several crafts. Only CNTU was affiliated with any international labor organization.

[93]Ibid., pp. 91-97.

[94]Ibid., pp. 107-109.

process of acquiring sovereignty and a new constitution. The road to independence was to be undertaken in stages.[95]

1975 was a quiet year for the PQ marked only by the continuing dialogue between radicals and moderates within the party over tactics. As it entered 1976, the PQ began to mobilize support over an increasingly broad front in the wake of disasters for the Bourassa-led liberals.

Since 1973 inflation had seen the cost of the James Bay development - a project personally identified with Bourassa - escalate in cost over 300 percent in five years with no end in sight. Additionally, Quebec had been forced to pick up most of the pieces when the cost of the Olympics escalated from $250 million to almost $1.5 billion.[96] Workers were alienated from the Bourassa government by its anti-union policies and the high rate of unemployment.[97] The Bourassa government had been elected on a platform which coupled cultural sovereignty with renewed federalism. The key to its cultural policies was Bill 22 on the French language. By the summer of 1976 the entire system established by the Bill to regulate the language of education was in disarray. Anglophones and immigrants attacked the government on the provisions which eliminated freedom on choice in determining the language of instruction of children and established the primacy of French in the province.[98]

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[95] Ibid., pp. 110-116.

[96] Ibid., pp. 122-123.

[97] DeWilde, pp. 16-17.

[98] Saywell, p. 125.

In June 1976 a work stoppage by pilots to protest the earlier decision of the federal government to extend the use of French for air traffic control at Quebec airports resulted in a reconsideration of the policy and a prohibition against the use of French. This episode precipitated a bitter reaction in Quebec and an ugly backlash against bilingualism across the country.[99] On 13 October James Richardson resigned from the Trudeau cabinet in protest over the possible entrenchment of French language rights in a new constitution over which Quebec would have a veto.[100] In a statement the same day, René Lévesque highlighted the apparent inability of the federal government or the Liberal program to protect the language rights of French Canadians. Reviewing the recent events, he said they were a:

> "warning that the cup is full and that any attempt to impose more French will provoke a violent rejection from the English-speaking majority. Because that is plainly what is involved - from initial curiosity to resistance, English Canada is moving now to rejection. Without openly wishing that Quebec would leave, not going so far as to push us out the door if we don't decide to go, it is certain that English Canada is no longer in the mood to tolerate either the smallest concession to Quebec or any acceleration of bilingualism in Canada."[101]

On 18 October 1976 Premier Bourassa announced that elections would be held on 15 November. Bourassa argued that he

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[99] DeWilde, p. 17. The backlash was seen primarily in letters to editors outside Quebec, but when Toronto fans booed announcements in French at a televised Team Canada hockey match with Sweden every hockey fan in Quebec had a taste of it.

[100] Saywell, p. 127.

[101] Ibid.

needed a mandate on two issues: the form of a new constitution and limitation of the right to strike in the public sector.[102] The Bourassa program proposed a concept of constitutional reform that would have provided cultural sovereignty with constitutionally enshrined protection and greatly enlarged the revenues flowing to Quebec. He attempted to focus the attention of the electorate on separatism, but the 1974 revision to the PQ program providing for separation by stages largely defused the issue. The ineptness and corruption of his own administration became the main issue along with the inability of his administration to make the keystone of the cultural sovereignty program, protection of the French language through Bill 22, work.[103] The Liberal campaign was further affected by recent changes in federal dairy policies which appeared to provide benefits for Ontario consumers at the expense of Quebec's dairy farmers. Provincial-federal relations were viewed in a politicized national context. The expansion of federal activities in regional development and cultural affairs appeared consistently to place Quebec in a back seat compared to prosperous Ontario. The fact that Ottawa contested every Quebec request for development funds created

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[102] Ibid., p. 129.

[103] DeWilde, p. 17. The Bourassa government had launched a probe into organized crime in Quebec which had reported back compromising information on several members of the government and the way the government did business.

further doubts about the ability of Mr. Bourassa to ensure cultural survival in a federal system of any sort.[104]

The Parti Québécois won a stunning victory on 15 November 1976. In addition to their old urban working class constituencies they swept the rural areas, middle class, and frontier industrial areas such as Lac St. Jean. The PQ collected 42 percent of the popular vote and 71 out of 110 seats in the National Assembly.[105] Outside of Quebec, Canada reeled in shock and attempted to convince itself that the vote was not a vote for separation, but a vote for honest government in reaction to a discredited and corrupt regime.[106] The reality however was that a government had come to power in Quebec which was committed to attain independence and create a new association between Canada and Quebec and which enjoyed all the levers of public persuasion and executive authority resident in a parliamentary democracy.

The Lévesque government moved rapidly to assert its authority and reaffirm its commitment to the basic aims of its campaign program. On 13 December at the first ministers'

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[104] DeWilde, pp. 17-18.

[105] Richard Simeon, ed., Must Canada Fail? (Montreal: McGill-Queen's University Press, 1977), p. 2.

[106] Radwanski, p. 340. While it is true, as the Liberals always remind the public, that the PQ played down its commitment to independence, the major issue of the election for the Liberals was federalism and they repeatedly reminded voters that a vote for the PQ was a vote for separation. So while only a minority of the PQ votes may have been for independence per se, there appear to have been few voters disturbed by the possibility.

conference at Ottawa and again in a speech to the Economic Club of New York in early 1977, René Lévesque reaffirmed the commitment of his party to achieve a mandate for sovereignty and a new form of economic association with Canada.[107]

There were three primary thrusts to Lévesque's cultural policies. First, he attempted to document and publicize the demographic threat to the French-Canadian nation. Second, he attempted to document and publicize the threat to the primary cultural asset of the French-Canadian nation, its language. Finally, he attempted through his language legislation to assert that Quebec would be a society which would be unilingual and whose unilinguism would enhance the development of its distinctive culture, economy, and state.

Two demographic trends derived from the decennial Canadian census were of interest in this regard:[108]

- French language use was concentrated in Quebec, northeastern Ontario, and northern New Brunswick. The French language was virtually a dead letter for Canadians outside a line drawn from Sault Ste. Marie to Moncton.[109]
- The birthrate among Francophone families was dropping. The situation was most serious in the seven provinces

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[107] Simeon, p. 2.

[108] The census is useful in this regard since it contains two questions associated with language, and one associated with ethnic origin.

[109] Richard J. Joy, "Languages in Conflict: Canada, 1976," The American Review of Canadian Studies, Vol. VI, no. 2, (Autumn 1976): 7-9.

west of Ontario and east of New Brunswick. In those areas there were less than 25,000 Francophones in the 5-14 year old population group in 1971, 1.7 percent of the total year group population.[110]

The declining trend for French language use outside of Quebec shown in this data was explained primarily by the assimilation of Francophones to the English language. A subsidiary factor was the internal immigration of Francophones to Quebec.[111] The Francophone birthrate did not seem to pose a serious threat to the position of the French language in Quebec, but it did have serious implications with respect to the position of Quebec within Canada.[112] Canada, from this data, appeared to be forming two distinct poles of English and French language population separated by a tenuous band of bilingualism in northern New Brunswick and along the Quebec/Ontario border. The strength of the French language in Quebec was maintained through the influx of Francophones from other provinces and increases in French-speaking immigration.[113]

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[110] Ibid., pp. 13-15.

[111] Wendie Kerr, "Bilingualism failing, Howe report indicates," The Globe and Mail (Toronto), 7 September 1978; and Paule des Rivieres, "Le Canada parait se diriger vers deux unilinguismes," Le Devoir (Montreal), 7 September 1978, p. 1.

[112] Joy, "Languages in Conflict: Canada, 1976," pp. 20-20A; and Canada, Royal Commission on Bilingualism and Riculturalism, Book I, p. 21.

[113] Kerr, "Bilingualism failing, Howe report indicates,"; and des Rivieres, "Le Canada parait se diriger vers deux unilinguismes," p. 1.

The PQ government utilized data such as this to establish an image of Quebec as a French nation-state besieged and challenged culturally by the remainder of the North American nations.[114] French language and culture in Quebec were portrayed as jeopardized by declines in the number of French speaking Quebekers, economic subjugation of Francophones, Anglophone acculturation of immigrants, and the corruption of the French language, the primary vehicle of French culture and values.[115]

The PQ government asserted that the primary political reference for the Québécois was the French-Canadian nation and its political incarnation in the government and territory of Quebec.[116] Thus the primary task undertaken by this Lévesque government was the rejection of bilingualism and the comprehensive development of a distinct French-Canadian national culture.[117] To achieve this objective Bill 101, The Charter of the French Language, was passed to supercede Bill 22, The Official Language Act of 1974. Bill 101 declared that French was the official language of Quebec and disallowed the legal

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[114]Quebec, Minister of State for Cultural Development, Quebec's Policy on the French Language, (Quebec: L'editeur Official Du Quebec, 1977), pp. 4-5, 31.

[115]Ibid., pp. 8-27. Some of the demographic data cited in other works suggests that the M.O.S.C.D. assertions may be overstated. Contradictory statements which stress the vital and non-corrupt status of French in Quebec appear in this document on pp. 33 and 105.

[116]Ibid., p. 51.

[117]Ibid., p. 52.

standing of the English language in the province. The bill mandated the use of the French language in the legislature, courts, civil administration, public utility firms, professional corporations, private enterprise, elementary and secondary schools.[118] A public administration was established to enforce the legislation under the civil jurisdiction. Fines of up to $5000 per offense or $2000 per day could be assessed under this act.[119] Like its predecessor, Mr. Lévesque's language bill raised hackles and protests from minorities in Quebec. Unlike its predecessor, this law prompted drastic reaction from large economic concerns in the province.[120] It also engaged the interest of the federal government and found its way into early challenges in the courts.[121] In response to this reaction, the PQ government eased the arbitrariness of its implementation of Bill 101 slightly and launched a renewed effort in late 1978 to promote

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[118]Quebec, Assemblée Nationale Du Québec, Bill 101 Charter of the French language (Quebec: L'editeur Officiel Du Quebec, 1977), pp. 1-8.

[119]Ibid., p. 39.

[120]Peter Brimelow, "Quebec's Language Law Puts Companies to Flight," The New York Times, 23 April 1978, p. 3F; and Gary Caldwell, "English Speaking Quebec in the Light of its Reaction to Bill 22," The American Review of Canadian Studies, Vol. VI, no. 2, (Autumn 1976): 42-56.

[121]Canada, Prime Minister, Prime Minister's letter to the Premier of Quebec in reply to letter of 9 September 1977 and Position of the Federal Government of Quebec's Bill 101, 6 October 1977; and "Anti-Bill 101 group defies law in court," The Globe and Mail (Toronto), 12 September 1978.

the benefits of sovereignty-association.[122] In 1978 the Lévesque government also tabled a bill which provided a referendum procedure for Quebec and announced that it would seek authority in late 1979 or early 1980 to negotiate terms for separation.[123]

2. The Federal Response

The challenge of the new French-Canadian nationalism which evolved from Jean Lesage's Quiet Revolution was, properly speaking, a challenge to the federal institutions of the Canadian state even though its political battles were fought at the provincial level. The man who initiated Canada's federalist response was Lester Pearson. Pearson had addressed the evolving situation in Quebec publicly as early as November 1961 while leading the Liberal opposition to Prime Minister John Diefenbaker's Conservative government.[124] Pearson perceived the central importance of the changed situation in Quebec for Canadian national unity. On 17 December 1962, while still in opposition, he made a major non-partisan speech in the House of Commons in which he reviewed the evolution of the relationship between the founding

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[122]Robert S. Cameron, "Quebec Sets Forth Rules to Soften Its Push for Head Offices of Firms to Use French," The Wall Street Journal, 21 July 1978, p. 15. A large number of pamphlets has been issued in this effort. Two are "Souveraineté-Association" by the PQ and "Le Québec, son territoire, ses resources" by the Government of Quebec.

[123]Frederick Rose, "Quebec's Ruling Party Appears to Soften Plans for a Referendum on Independence," The Wall Street Journal, 13 October 1978.

[124]Pearson, Mike, Vol. III, p. 67.

races and advocated the formation of a Royal Commission to investigate how bilingualism and biculturalism might be drawn upon as the bases for national development.[125] His appreciation of the Quebec situation was remarkably accurate:

> "...It is now clear to all of us, I think, that French-speaking Canadians are determined to become directors of their economic and cultural destiny in their own changed and changing society...they also ask for equal and full opportunity to participate in all federal government services, in which their own language will be fully recognized. This right flows from the equal partnership of confederation."[126]

Pearson's concern for national unity did not dissipate when he came out of opposition. When he took office as Prime Minister on 22 April 1963 he was committed to forming a Royal Commission on Bilingualism and Biculturalism and to considering with the provinces constitutional reform to strengthen "co-operative federalism."[127] Pearson thought that the problem of national unity embraced such factors as the constitution, federal-provincial relation, tax-sharing, and equalization grants.[128] However, he considered the problems of language and culture to be pre-eminent among all the elements.[129]

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[125] Ibid.

[126] Ibid., p. 68. Pearson's insight was undoubtedly sharpened by his assistant Maurice Lamontagne who drafted the speech for him.

[127] Ibid., pp. 77,84. Pearson's "co-operative federalism" is often referred to as decentralization.

[128] Equalization grants are a direct transfer of revenues from the federal government to the provinces to establish a minimum standard of social services for all citizens.

[129] Pearson, Mike, Vol. III, p. 237.

a. The Royal Commission on Bilingualism and Biculturalism

Within six months after he took office, the centerpiece of Pearson's attempt to build national unity was in place. The terms of reference for the Royal Commission on Bilingualism and Biculturalism were issued on 19 July 1963 and the Commission led by André Laurendeau of Montreal and Davidson Dunton of Ottawa began research for its hearings immediately.[130] In January of 1964 the Director of Research, Michael Oliver, was in place and Professor Léon Dion of Laval University was appointed as the Special Consultant on Research. Over 125 studies were prepared for the Commission by eminent scholars.[131] Their scope was immense, covering topics such as the official languages, the work world, education, arts and letters, other cultural groups, the mass media, government institutions, voluntary associations, constitutional problems, and foreign comparisons.[132] Over 350 briefs were submitted to the Commission by individuals, associations, and organizations.[133] These briefings were presented and discussed in public hearings at ten different sites between March and December 1965. They followed regional meetings in 1964 during which time the Commissioners

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[130]Canada, Royal Commission on Bilingualism and Biculturalism, Book I, pp. 173-174.

[131]Ibid., pp. 185-212.

[132]Ibid.

[133]Ibid., pp. 177-184.

listened to several thousand Canadians express their attitudes on the Commission's terms of reference.[134]

The Commission published A Preliminary Report, based only upon the regional meetings in February 1965. The main Report of the Royal Commission on Bilingualism and Biculturalism was published in five books commencing 8 October 1967.[135] In the Preliminary Report the Commission concluded that "Canada, without being fully conscious of the fact, is passing through the greatest crisis in its history."[136] They asserted that Canada was facing "a time when decisions must be taken and developments must occur leading either to its breakup, or to a new set of conditions for its future condition."[137] In the final Report, the Commission concluded, "This is still the condition."[138]

b. Early Language Policy

The Report caused an uproar in Canada which Pearson had expected. He wanted Canadians to be shocked and to understand that there were hidden cracks in their unity

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[134]Ibid., p. 174. Four of the briefings presented to the Commission were confidential at the request of the briefers who desired to remain anonymous.

[135]Publishing of these books was not completed until 1970 and one of the major reports, Book III on The Work World was not published until September 1969.

[136]Canada, Royal Commission on Bilingualism and Biculturalism, A Preliminary Report (Ottawa: Queen's Printer, 1965), p. 13.

[137]Ibid., p. 133.

[138]Canada, Royal Commission on Bilingualism and Biculturalism, Book I., p. xvii.

with differences serious enough to destroy Canada if no remedial action were taken.[139] Pearson did not intend to wait for the complete publication of the Royal Commission's work to begin attacking the language problem. On 6 April 1966 he made a major statement of policy respecting bilingualism in the public service.[140] This policy dictated that bilingualism, or the willingness to achieve it at government expense, would be an element of merit considered in the selection of university graduates for entry level positions in the public service. Additionally a special program was established for senior executive officers, language training programs were expanded and strengthened, and a special secretariat on bilingualism was established within the Privy Council Office to ensure the coordinated and progressive implementation of the government's policy and program.[141]

Because of his programs, Pearson was often criticized as a believer in two nations. While he firmly believed that the French in Canada were a nation in the sense of being a separate people, Pearson always stressed that two political nations could not exist within one country.[142] His approach to constitutional reform bore this out.

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[139]Pearson, Mike, Vol. III, p. 241.

[140]Canada, House of Commons, Debates, 6 April 1976, pp. 3915-3923.

[141]Ibid.

[142]Pearson, Mike, Vol. III, pp. 237-238.

c. The Canadian Constitution

Canada is a federation of ten provinces and two territories governed, under constitutional authority, by a parliamentary system akin to that of the United Kingdom. Power in the government is divided between the Executive, Legislative, and Judicial branches. In the Executive branch power is vested in the monarch who is represented by the Governor General. Executive power is exercised by the Prime Minister and his cabinet acting as a committee for the Privy Council. Legislative authority is exercised by a bicameral parliament composed of a Senate and House of Commons. The provincial governments' Executive and Legislative branches generally parallel those of the Federal government in structure and in function in their areas of competence. The Judicial branch, in contrast, is a vertical structure in which the Federal and provincial courts form a unified hierarchy. On the Federal level are the Supreme Court of Canada and the Federal Court of Canada, the latter consisting of two divisions, Trial and Appeal.[143] In principle, the provinces share equal constitutional power and status, yet differential treatment of provinces under the constitution exists. Senatorial representation varies from province to province; public lands are retained by the Federal government

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[143] Robert MacGregor Dawson, The Government of Canada, 4th ed., (Toronto: The University of Toronto Press, 1963), pp. 61-514; and Canada, Department of External Affairs, The Constitution and Government of Canada, Reference Paper No. 70, (1975), pp. 1-12. Table one provides an overview of the chronological development of the Canadian constitution.

TABLE ONE

CHRONOLOGY OF CANADIAN CONSTITUTIONAL DEVELOPMENT

1763 - Treaty of Paris. British accession of Canada.
1766 - French language sanctioned for court proceedings in Quebec.
1771 - French seigneurial system of land tenure reaffirmed in Quebec.
1774 - Quebec Act. French civil law confirmed in Quebec.
1791 - Canada Act. Territorial partition along language lines.
1840 - Act of Union. Partition ended.
1867 - British North America (B.N.A.) Act. British statute which created the Dominion of Canada. Basic document of the Canadian constitution.
1875 - Dominion Act. Canadian organic statute which created the Supreme Court of Canada.
1927 - Unsuccessful attempt to patriate the Canadian constitution.
1931 - Unsuccessful attempt to patriate the Canadian constitution.
1931 - Statute of Westminster. British statute which augmented Canadian autonomy while leaving the issues of patriation and amendment outstanding. Part of Canadian constitution.
1935 - Unsuccessful attempt to patriate the Canadian constitution.
1949 - B.N.A. Act amended to allow partial amendment by Canadian Parliament.
1950 - Unsuccessful attempt to patriate the Canadian constitution.
1964 - Fulton-Favreau Amending Formula. Unsuccessful attempt to patriate the Canadian constitution.
1968 - Formation of continuing Constitutional Conference.
1971 - Victoria Charter. Unsuccessful attempt to patriate the Canadian constitution.
1978 - Constitutional Amendment Bill. Two-phase attempt to patriate the Canadian constitution, provide a new amending procedure, enshrine language rights, redress regional representation in the Senate, and clarify the executive structure. Results pending.

in Alberta, Manitoba, and Saskatchewan; and the French language is protected in Quebec.[144]

The distribution of power between the Federal and provincial governments is based upon the written distribution of legislative authority in the constitution. Specific grants of exclusive Federal and provincial legislative authority are made; concurrent authority is granted in the area of immigration and agriculture; and the Federal government enjoys the right of intervention in the general provincial authority over education. Residual powers are vested in the Federal government and interpretation of competence is performed by the Supreme Court. By custom and judicial interpretation the distribution of executive authority follows that of legislative authority.[145]

The Canadian constitution, while generally conceded to be written, cannot be identified as a single document and indeed has significant unwritten, conventional sources. The most important instrumentalities of the Canadian constitution are British statutes, British Orders in Council passed under statutory authority, British Letters Patent, Canadian constitutional statutes, Canadian organic statutes, and Canadian conventional practices.[146]

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[144]Dawson, p. 81.

[145]Ibid., pp. 80-104.

[146]Ibid., pp. 61-89.

British statutes which form a portion of the Canadian constitution include the British North America Act of 1867 and its amendments and the Statute of Westminster of 1931. The former created the Dominion of Canada while the latter augmented its autonomy. British Orders in Council passed under statutory authority accomplished the admission of Rupert's Land, the Northwest Territory, British Columbia, and Prince Edward Island to the Dominion, while British Letters Patent have authorized the powers of the Governor General.[147]

Canadian constitutional statutes, such as the Alberta and Saskatchewan Acts are those statutes of the Canadian Parliament of a constitutional nature which cannot be amended by it once enacted. Canadian organic statutes on the other hand contain no special provisions to distinguish them from other acts of the Parliament but are recognized by their content. An example of this genre is the Dominion Act of 1875 which created the Supreme Court of Canada. Finally, Canadian conventional practices are those unwritten procedures which supplement and modify the written constitution. Most of the principles which govern the structure and functioning of the Executive branch fall into this realm. Included amongst these are the principle of responsible government, the mechanics of government succession and the roles of the Prime Minister and the Cabinet.[148]

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[147] Ibid.

[148] Ibid.

(1) Amendment and Patriation. Although Canada is fully recognized throughout the world as an independent federal state, the formal power to amend certain portions of her constitution still resides with the Parliament of the United Kingdom. This anomalous situation persists because of the inability of governments in Canada to reach agreement upon a formula for amendment of certain key areas of the constitution.[149]

The Balfour Report of 1926 enunciated the principle of equality of status between the United Kingdom and Canada subsequently embodied in the Statute of Westminster of 1931. The latter established the equality and independent status of Canada. Two attempts were made in the interim to patriate the British North American Act (BNA). At Dominion-Provincial Conferences in 1927 and April 1931 no agreement could be reached on an amending formula. On 30 June 1931 the Prime Minister introduced a resolution, which was subsequently passed by Commons and the Senate, and forwarded to London which requested that the BNA Act be exempted in the Statute of Westminster from those terms which removed the authority of British legislation.[150]

In 1935 neither a House of Commons special committee nor the Dominion-Provincial Conferees were able to devise an amending formula which could be adopted. In 1949,

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[149]Canada, Government of Canada, The Canadian Constitution and Constitutional Amendment, (1978).

[150]Ibid., p. 10.

under the leadership of Louis St-Laurent, an important initiative was taken to establish those areas in which Parliament, acting along, might amend the BNA Act. Subsequently the BNA Act was amended pursuant to an address passed by both houses of Parliament to grant to the Parliament of Canada the power to amend the Constitution of Canada, with certain exceptions. It remained necessary for the British Parliament to adopt legislation to amend the BNA Act with respect to the following matters:

(a) the distribution of legislative authority.

(b) the rights and privileges constitutionally granted to the legislatures or governments of the provinces.

(c) the rights and privileges granted to any class of persons with respect to schools,

(d) the use of the English or of the French language.

(e) the requirement that there be at least one session of Parliament annually; and that no House of Commons continue for more than five years from the day of the return of the writs.[151]

In 1950 a fifth attempt was made to patriate the constitution by the convening of a Constitutional Conference. It was suspended because of the Korean conflict and not resumed thereafter. A sixth, and likewise unsuccessful attempt to find an amending formula was inaugurated in July 1960 at the Dominion-Provincial Conference.[152]

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[151] Ibid., pp. 10-11.

[152] Ibid.

d. Pearson and Constitutional Amendment

Lester Pearson's approach to constitutional amendment was based on his conclusion that decentralization of power through joint undertakings with the provinces, "co-operative federalism", was the way to establish, strengthen and maintain national unity.[153] His commitment to constitutional reform was largely based upon his perception that if Canadians "failed to contain and destroy separatism by coming to terms with the Quiet Revolution...we would have the gravest difficulty in holding our country together."[154] His concepts for constitutional amendment revolved around special recognition of the French fact and the rights of French-speaking Canadians in confederation, new tax-sharing arrangements, and a new division of authority between the federal and provincial governments which clarified ambiguous areas in the original constitution.[155]

Pearson was fully aware of the particular sensitivity of French-Canadians to constitutional amendment.[156] French-Canadians had been largely responsible for the reservations enumerated in the addition of Section 91(1) to the BNA Act in 1949. Wary of placing constitutional provisions seen as vital to national survival in the hands of the

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[153]Pearson, Mike, Vol. III, pp. 238-239.

[154]Ibid.

[155]Ibid., pp. 240,254.

[156]Ibid., pp. 246-251.

English-speaking majority. Quebec had ensured that this authority remained with the British Parliament. Since proposed amendments were required to be submitted to the British Parliament by the federal government in consultation with the provinces, Quebec retained a veto over proposals affecting her vital interests.[157]

In 1964 Pearson launched the first of his two attempts to revise Canada's constitution. At the Charlottetown federal-provincial conference in October, Premier Manning of Alberta, on behalf of the premiers, informed Pearson of the belief that general agreement could be reached on the basis of the 1961 proposal. Agreement in principle was reached on an amending procedure called the Fulton-Favreau formula and it was referred to the provinces for action.[158]

The Fulton-Favreau formula was drafted in the form of an Act and like previous proposals was a complex prescription. All amendments were to take the form of an Act of the Parliament of Canada, subject, in a wide range of matters, to the concurrence of provincial legislatures. The formula provided for various degrees of consent depending upon subject matter. This included unanimous consent over any change to the distribution of powers. A large number of additions were made to the areas excluded from amendment by the Parliament of Canada under Section 91(1). Included in

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[157]White, et al., pp. 59-60.

[158]Pearson, Mike, Vol. III, pp. 251-254.

this exclusion, among others, were guarantees for the use of the French and English languages.[159] In 1966, after a long battle, it became apparent that Jean Lesage could not obtain support for the proposal in the Opposition-controlled Legislative Council, Quebec's upper house, and his support was withdrawn. Consideration of the Fulton-Favreau formula was suspended.[160]

In 1968, as a lame duck, Prime Minister Pearson made his last attempt to revise the Canadian constitution. He called a full Federal-Provincial Constitutional Conference for early February 1968. While the Conference made no decisions and produced no proposals, it did maintain the momentum for constitutional change and publicize, through its telecast, the need for change to the country. The only concrete result was the formation of a continuing Constitutional Conference.[161]

e. Pierre Elliott Trudeau

On 20 April 1968, following Prime Minister Lester Pearson's resignation and a hotly contested battle for the leadership of the Liberal Party, Pierre Elliott Trudeau became the Prime Minister of Canada. In his first meeting with

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[159]Canada, Government of Canada, The Canadian Constitution and Constitutional Amendment, pp. 14-15.

[160]Pearson, Mike, Vol. III, pp. 252-253.

[161]Ibid., pp. 256-259. This continuing Conference ultimately produced the Victoria Charter of 1971.

Commons, on the afternoon of 23 April, he dissolved Parliament and announced an election for 25 June.[1962]

Trudeau was an extremely well-educated and philosophical person. He was probably one of the few leaders in the history of Canada who entered politics with a well thought-out political philosophy. Trudeau's philosophy, largely constructed from elements of Acton, de Tocqueville, Montesquieu, Mill and Locke, was a complete system which began with the role of the individual, worked its way through the function of the state, and then addressed the specific problems. Four primary themes dominated: the absolute value of the individual, the supremacy of rationality, the struggle between totalitarian and democratic tendencies, and the obligation of individuals to involve themselves in the political process.[163]

Trudeau's emphasis on the individual, freedom and rationality has led him to loath nationalism in general and political nationalism in particular. He has objected that in the nation-state, the individual is no longer paramount. Rather than the state serving the individual, he saw the individual reduced to an instrumentality in the pursuit of the good of a higher order organic entity, the Nation.[164]

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[162]Ibid., p. 331.

[163]Radwanski, pp. 119-120.

[164]Pierre E. Trudeau, Federalism and the French Canadians (New YOrk: St. Martin's Press, 1968), p. 165; and Pierre Trudeau, "Canada and French-Canadian Nationalism," in Canada: A Guide to the Peaceable Kingdom, ed. William Kilbourn (New York: St. Martin's Press, 1970), p. 15.

Trudeau's entry into politics in 1965 was directly related to the Quiet Revolution in Quebec and the transformation of French Canadian nationalism from a defensive form to a confidently aggressive posture. Speaking in 1973 of his reasons for entering politics, Trudeau said, "...mine were twofold. One was to make sure that Quebec wouldn't leave Canada through separatism, the other was to make sure that Canada wouldn't shove Quebec out through narrowmindedness."[165]

Trudeau was convinced that there was no serious fault in the federal system and that reasonable French and English Canadians could use the structure successfully. "I am inclined," he said in one of his works, "to believe that the authors of the Canadian federation arrived at as wise a compromise and drew up as sensible a constitution as any group of men anywhere could have done[166] ...I should be very surprised if real statesmen, give the facts of the problem, arrived at the conclusion that our constitution needs drastic revision."[167] This approach required, however, a rational and goodwilled likemindedness on the part of all citizens to be successful. Each Canadian was required to see the entire country as theirs if the country were to survive. Trudeau

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[165]Pierre E. Trudeau, "CTV Interview 'W5'," CTV Transcript, 21 December 1973.

[166]Trudeau, Federalism and the French Canadians, p. 197.

[167]Ibid., p. 36.

saw the evolving situation as proof of the failure of Canadians to play by the rules. "It is wrong to say that confederation has been a total failure for French Canadians; the truth is rather that they have never really tried to make a success of it. In Quebec, we tended to fall back upon a sterile, negative provincial autonomy; in Ottawa our frequent abstentions encouraged paternalistic centralization."[168] As for English Canada, "...the rules of the game were not always upheld. In the matter of education as well as political rights, the safeguards so dear to French Canadians were nearly always disregarded throughout the country, so that they came to believe themselves secure only in Quebec. Worse still, in those areas not specifically covered by the constitution, the English-speaking majority used its size and wealth to impose a set of social roles humiliating to French Canadians. In the federal civil service, for example, and even more so in the Canadian armed forces, a French-Canadian started off with an enormous handicap - if indeed he managed to start at all. This was also true in finance, business, and at all levels of industry."[169]

Trudeau consistently turned away from a special status for Quebec, believing that it would cause it to turn further in upon itself. Instead he pinned his hope on trying to give Quebekers a sense of equality in, and proprietary

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[168] Ibid., p. 31.

[169] Ibid., p. 47.

right to, Canada as a whole.[170] Trudeau's strategy was pinned on two major undertakings, constitutional revision and language policy.

f. Trudeau and Constitutional Reform

Trudeau's first experience as Prime Minister with constitutional reform came in mid-June 1971 when the continuing Constitutional Conference presented a proposal for the Canadian Constitutional Charter. The Victoria Charter, as it became known, provided a patriation procedure, an amending formula acceptable to all governments, and changes in substantive areas which modernized the constitution.[171] The amending formula was a major departure from any previous attempt. It did not require the unanimous consent of the eleven legislative bodies in Canada for the amendment of any part of the constitution, and amendments were to take the form of a Proclamation of the Governor General rather than an Act of Parliament.[172] The most important change, from Mr. Trudeau's standpoint, was the inclusion of an enshrined charter of human rights that would, among other rights, guarantee French-Canadians throughout Canada the same language rights that English-speaking Canadians had long enjoyed in Quebec.[173]

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[170] Radwanski, pp. 314-315.

[171] Canada, Constitutional Conference, Constitutional Conference Proceedings, Victoria, British Columbia, 14 June 1971, pp. 49-70.

[172] Ibid.

[173] Ibid.; and Radwanski, pp. 315-316.

At Victoria it was agreed that the Charter should be reported to all eleven governments for consideration and that if its acceptance, as a whole, was communicated to the Secretary of the Constitutional Conference by 28 June 1971, the governments would then recommend the Charter to their respective legislatures. On 23 June, the Government of Quebec informed the Secretary that it could not recommend the Charter because the clauses dealing with income security allowed too great a latitude for interpretation.[174] It is not clear however that that was the only reason for the Quebec position. The costs of implementation were seen as prohibitively expensive in some quarters, while in others it was asserted that the Charter did not go far enough in the direction of decentralization and special status for Quebec.[175]

In 1975 Prime Minister Trudeau attempted to bypass the 1971 problems by proposing patriation of the BNA Act on the basis of applying the Victoria Charter amending procedures to Section 91(1) only. No other issues of substantive constitutional reform were to be addressed. This basis was not satisfactory to several of the Premiers who suggested additional conditions.[176] On 31 March 1976 Mr.

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[174]Canda, Government of Canada, The Canadian Constitution and Constitutional Amendment, p. 12.

[175]Radwanski, p. 316; and Saywell, p. 55.

[176]Canada, Government of Canada, The Canadian Constitution and Constitutional Amendment, p. 12.

Trudeau addressed a proposal incorporating these concerns to the Premiers.[177] Their reply in October 1976, presented by Premier Lougheed of Alberta indicated that the political tide had shifted again and that the Premiers could no longer unanimously endorse the Victoria amending procedure. Additionally, the process of patriation without revision, especially of the distribution of powers, was declared unacceptable by the Provinces.[178]

In January 1977 the Prime Minister asked the Premiers to reconsider their position, but no new joint position was undertaken.[179] Thus, on 12 June 1978 the Government of Canada published a White Paper entitled A Time for Action in which it proposed to pursue constitutional renewal in two phases. In the first phase the Government would, after consultation with the provinces, ask Parliament to amend certain sections of the BNA Act which are within its competence. In the second phase the Government and provinces would establish a consensus on the remainder of areas not amendable in Canada, especially the distribution of powers.[180]

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177 Canada, Prime Minister, Letters from the Prime Minister to the Premiers of the Provinces concerning "Patriation" of the BNA Act with attachments, 31 March 1976.

178 Canada, Premier of Alberta, Premier of Alberta's letter to Prime Minister Trudeau, 14 October 1976, in reply to the letter of 31 March 1976.

179 Canada, Prime Minister, Prime Minister's letter to the Premier of Alberta, 19 January 1977, in reply to the letter of 14 October 1976.

180 Canada, Government of Canada, A Time for Action: Toward the Renewal of the Canadian Federation (Ottawa: Minister of Supply and Services Canada, 1978), pp. 17-26.

On 20 June 1978 the Government tabled, in the House of Commons, the Constitutional Amendment Bill - 1978.[181]

The Constitutional Amendment Bill - 1978 involved a comprehensive modification of the Canadian constitution. The major changes proposed were in the Supreme Court, The Canadian Charter of Rights and Freedoms, the Senate, the distribution of powers, and executive reorganization. Alternatives for amending and patriating the constitution were listed and discussed, but the government delayed the decision on which to endorse.[182]

Reform of the Supreme Court was undertaken for a variety of reasons. First, the existence of the court, its jurisdiction and the tenure of its judges depended upon statutory law with no constitutional guarantees. Second, the members of the court were appointed exclusively by the federal government. Third, the size of the court and the geographic distribution of its members had been questioned. Finally, contention arose over whether the court should have jurisdiction only on constitutional questions, or whether it should continue to hear appeals on civil law, especially that of Quebec.[183]

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[181]"Trudeau to Introduce Constitutional Reform Bill in Parliament Today," Monterey Peninsula Herald, 20 June 1978.

[182]Canada, Government of Canada, The Constitutional Amendment Bill: Text and Explanatory Notes, 1978.

[183]Canada, Department of Justice, Constitutional Reform - The Supreme Court of Canada, 15 August 1978, p. 2.

The Constitutional Amendment Bill - 1978 proposed to expand the number of justices from nine to eleven and specify a geographic distribution for the justices. It also required that the provinces be consulted in the nomination of judges, and that all appointments be confirmed by the House of Federation. Finally the bill maintained the broad jurisdiction of the Supreme Court while it allowed only judges from Quebec to rule on questions involving Quebec civil law.[184] The principal criticism of the proposal was that it might unilaterally alter the provincial powers.[185]

The debate about the Canadian Charter of Rights and Freedoms centered on whether the basic rights need to be entrenched in the constitution and what the scope of the rights and freedoms should be.[186] The proposals of the Constitutional Amendment Bill - 1978 constitutionally entrenched basic protection at all levels of Canadian government. It protected political and democratic rights and freedoms, individual legal rights, the free movement of citizens, anti-discrimination rights, rights respecting the English and

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[184]Canada, Government of Canada, The Constitutional Amendment Bill: Text and Explanatory Notes, pp. 49-55.

[185]Canada, Canadian Embassy, Washington, D.C., "Premiers' Annual Conference," Canadian Press Comment, No. 32, 25 August 1978, p. 1.

[186]Canada, Department of Justice, The Constitutional Amendment Bill: Explanatory Notes on the Canadian Charter of Rights and Freedoms, 15 August 1978, pp. 2-3.

French languages, and other subsidiary rights and freedoms.[187] The Charter was criticized primarily for its oversights: double jeopardy was not prohibited, no provision was included to guarantee the right to trial by jury, no provision was made for the protection of privacy, no protection was included against vaguely worded offenses and non-specific accusations, and the provisions for redressing breaches of rights were inadequate.[188]

Several criticisms of the old Senate were aired in past years and considered in the preparation of the Constitutional Amendment Bill - 1978. Some critics thought that the upper house of the Canadian Parliament should function as an effective regional advocate independent of party discipline. It was argued that that would relieve the provincial governments of any need to intrude into federal areas of responsibility. Other critics said that the members should be chosen to reflect the widest regional view possible, and that they ought to reflect the views of all regional parties. Finally, it was suggested that confidence be maintained only in the directly elected house which would allow the appointed house to exert pressure on the Government.[189]

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[187] Canada, Government of Canada, The Constitutional Amendment Bill: Text and Explanatory Notes, pp. 4-13.

[188] "Rights and freedoms charter haphazard, lawyer says," The Globe and Mail (Toronto), 21 September 1978.

[189] Canada, Ministry of State for Federal-Provincial Relations, The House of the Federation, 15 August 1978, pp. 2-26.

The proposals in the Constitutional Amendment Bill - 1978 were to increase the total membership and align it toward greater regional equality. Members of the House of Federation were to be appointed, half by the federal government and half by the provinces, from all political parties on the basis of popular vote. The new House was to be able to delay and initiate legislation except money bills, and confirm appointments to the Supreme Court and some Crown agencies. In order to safeguard language rights the bill was to require a dual majority on any bill of "linguistic significance."[190] Major objections to the proposal were registered immediately on two grounds. First, the method of appointing members was unwieldy. Second, the bill required a major structural change in the federal structure which could not be made without provincial consultation and concurrence.[191]

The issue of federal-provincial distribution of powers was one of the abiding Canadian constitutional issues for many years preceding the 1978 Bill. The principal objectives were to redefine and distribute the powers in such a way that the provinces were pre-eminent and to increase the transfer payments from the federal to provincial

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[190]Canada, Government of Canada, The Constitutional Amendment Bill: Text and Explanatory Notes, pp. 20-32.

[191]Canadian Press Comment, No. 32, pp. 1-4; and "Provinces' stand a direct intrusion, Trudeau writes," The Globe and Mail (Toronto), 19 September 1978.

governments.[192] The Constitutional Amendment Bill - 1978 required that First Ministers meet annually, and that the federal government consult with the provinces before appointing lieutenant-governors or invoking its declaratory power. Additionally, it provided a means for constitutionally enshrining certain federal payments to the provinces.[193] There was significant resistance to this section of the bill for several reasons. First, the provinces wanted a clearer division of power and a greater influence in areas that affected them. Second, it was argued that the two-phase implementation of the constitutional reofrm would hazard any adjustment made in response to the demands of provincial governments. Third, the provinces demanded a guarantee for provincial ownership of natural resources. Finally, the provinces felt that the Bill did not solve the problems associated with regional disparities.[194]

The executive reorganization proposed by the Constitutional Amendment Bill was designed to bring the constitution into line with the actual practices of government.[195] The Governor General was to exercise prerogatives, functions, and authority in his own right as the constitutionally

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[192]Pearson, Mike, Vol. III, p. 254.

[193]Canada, Government of Canada, The Constitutional Amendment Bill: Text and Explanatory Notes, pp. 41-47.

[194]Canadian Press Comment, No. 32, pp. 1-4.

[195]Canada, Government of Canada, The Constitutional Amendment Bill: Text and Explanatory Notes, pp. 16-19.

designated head of state; the Queen would remain sovereign head of Canada and exercise full powers when in Canada. The functions of the Prime Minister and cabinet were to become constitutionally prescribed, and the Privy Council was to have become a Council of State.[196] The primary opposition to executive reform was based on conservative reaction against any change in the written status of the Queen's prerogatives as the sovereign head of state.[197] Additional opposition was based on the premise that the appointment of the head of state by the chief executive would place too much power in the hands of the Prime Minister, who did not represent all of the people of Canada.[198] Anti-federalists, especially the PQ opposed any diminution of the power of the Queen since it implied a concurrent enhancement of the power of the federal government.[199]

The Trudeau government received extensive criticism for its decision to put off consideration of patriation and amending procedures until Phase II of the constitutional revision.[200] These have, historically, been the most

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[196] Ibid.

[197] Robert Trumbull, "Queen's Visit Stirs a Debate in Canada," The New York Times, 5 August 1978; Canadian Press Comment, No. 32, pp. 1-3; and "Struggling for Self-Mastery," Time, 26 June 1978, p. 43.

[198] Canadian Press Comment, No. 32, p. 1.

[199] Ibid., p. 5.

[200] Canada, Government of Canada, A Time for Action: Toward the Renewal of the Canadian Federation (Ottawa: Minister of Supply and Services Canada, 1978), pp. 24-25.

difficult issues to solve and the Government demonstrated very little early leadership in finding solutions. It outlined four methods for amendment and over ten different methods for the initiation of an amendment, but endorsed none.[201] The Government's critics were quick to point out that a failure to resolve either or both of the questions of patriation or amendment would radically alter the nature of the constitution and complicate the ultimate completion of reforms.[202]

The Constitutional Amendment Bill - 1978 was rejected out of hand by Quebec Premier René Lévesque on the day it was tabled, and the spectre of secessionist Quebec haunted the debate about the Bill.[203] The federal Bill was being considered at the same time that the PQ was preparing its plans for a referendum on sovereignty-association and the contrast exacerbated regional tensions and highlighted regional inequalities during the debate on sections of the bill designed to reduce those disparities.[204] The Trudeau government attempted to exploit the PQ position to gain quick acceptance of its program. Prominent Liberals argued that

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[201] Canada, Government of Canada, The Canadian Constitution and Constitutional Amendment, pp- 18-24.

[202] Canadian Press Comment, No. 32, pp. 1,3.

[203] "Trudeau to Introduce Constitutional Reform Bill in Parliament Today."

[204] Canadian Press Comment, No. 32, p. 2; and Canada, House of Commons, Debates, "Debate on National Unity, P.E. Trudeau, J. Clark, and E. Broadbent," 5 July 1977.

traumatic national crisis could be avoided through early constitutional renewal while others simply noted that Quebec participation in the constitutional conferences belied any imminent or irreversible action toward secession.[205]

In spite of the rebuff by Quebec the Government proceeded with a first reading of the bill before abandoning parliamentary debate until the following session. In the interim provincial and public discussion were to be cultivated and a joint committee of the Commons and Senate was to review the substance of the bill. Mr. Trudeau announced that he had scheduled Phase I to complete no later than 1 July 1979, and Phase II no later than 1981.[206]

Between August 9-12, the provincial premiers met in Regina, Saskatchewan and unanimously rejected the Government proposals embodied in the Constitutional Amendment Bill. The major points of departure were the status of the monarchy, the revision of the Senate, the distribution of powers, and the lack of an amending procedure. Mr. Trudeau's avowed intention for the federal government to take unilateral action to implement amendments within its competence if the provinces resist or reject his program was singled out for particularly caustic criticism.[207]

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[205] Canadian Press Comment, No. 32, p. 3; and "Constitution change necessary if vote to be won, Lalonde says," The Globe and Mail (Toronto), 19 September 1978.

[206] Canada, Government of Canada, A Time for Action: Toward the Renewal of the Canadian Federation, pp. 24-26.

[207] Canadian Press Comment, No. 32, pp. 1-4.

The outcome of Mr. Trudeau's latest efforts for constitutional reform remained unresolved at the end of 1978. The Joint Committee of the Commons and Senate began hearings on the Constitutional Amendment Bill - 1978 on 15 August 1978.[208] The Prime Minister also started a counterattack against the provincial premiers in September 1978. In a letter addressed to the premiers collectively, he strongly protested their public intrusion into an area where they enjoyed no legal competence. As a final aside he reminded them that the federal government had already graciously scheduled an opportunity for them to be heard, in spite of their status, at the Federal-Provincial Constitutional Conference scheduled from 30 October - 1 November 1978.[209] An early or favorable resolution in that round of constitutional reform was unlikely. Mistrust of the central government had permeated and undermined federal-provincial relations for a long time. Provincial procrastination and vacillation had prevented constitutional reform in the past. Regional tensions had continued unabated. Finally, the unified front of the provincial premiers was a fragile alliance with no real chance of survival if they decided to tackle a compromise.

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[208]Marc Lalonde, Statement by the Honourable Marc Lalonde, Minister of State for Federal-Provincial Relations, to the Joint Parliamentary Committee on the Constitution, 15 August 1978, pp. 1-7.

[209]"Provinces' stand a direct intrusion, Trudeau writes."

g. Language Program

Unlike constitutional reform, Prime Minister Trudeau held almost all the levers necessary to implement his language program. In spite of uneven areas, it was clearly the most successful portion of his cultural program. Within months of becoming Prime Minister he submitted The Official Languages Act 1968-1969 to the Parliament. This Act established English and French as the official languages of Canada for all purposes of the Parliament and Government of Canada. Both languages shared equality of status, rights, and privilege in their use.[210] The Act extended the scope of official bilingualism into the grey areas surrounding Section 133 of the BNA Act to ensure that every citizen would enjoy the right to deal in either official language with the federal government, its agencies, and Crown corporations. Through this vehicle Trudeau implemented a language program designed to improve the ability of the federal public service to serve the people of Canada in both official languages, to increase the use of French as a language of work, and to provide for equitable participation of both official language communities in the public service.[211]

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[210]Canada, Parliament of Canada, Official Languages Act 1968-1969 (Ottawa: Queen's Printer for Canada, 1970), c. 54, s. 2.

[211]Canada, Government of Canada, A National Understanding (Ottawa: Minister of Supply and Services Canada, 1977), p. 58.

For Trudeau, the official languages policy was "intimately related to the continuing existence of Canada as a single, united country."[212] Thus, it was a confusing and frustrating experience for him to encounter the misconceptions about the program which existed in many portions of Canada. Citizens often grumbled that Trudeau was trying to force French on people or make the whole country French.[213] Trudeau was clear and consistent in his attempts to dispel the myths about bilingualism. The message was simple: "Bilingualism is an imposition on the state and not the citizens...we want the government of all Canadians, the central government, to be able to communicate with the population."[214]

In spite of some confusion and resistance the Official Languages program went forward. In September 1969 the Official Languages Act entered force and the Royal Commission on Bilingualism and Biculturalism published its report on language in the work world in which it found that "...socially and economically, Francophones are in a far weaker position than Anglophones in the work world."[215] Less than a year later Mr. Trudeau announced in Commons his Government's acceptance of the recommendations made by the Royal

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[212] Ibid., p. 35.

[213] Radwanski, p. 316.

[214] Ibid., p. 317.

[215] Canada, Royal Commission on Bilingualism and Biculturalism, Book III, p. 5.

Commission.[216] Mr. Trudeau stated that French language units (FLU) would be formed in the public service and appointments made of Francophones to the most senior positions. He emphasized that the merit system would be maintained and that many of the language initiatives recommended by the Commission were already underway in the Public Service and Armed Forces.[217] Less than three months later the first FLU was formed.

The Official Languages policy was not implemented without some inconvenience and cost, but by and large the program was implemented humanely. The government went to considerable and expensive lengths to avoid injustice to incumbent employees and extensive, free language training was made available to federal employees. The Department of the Secretary of State was reinforced, and a new service added to it to coordinate the implementation of the government's official language policy.[218] Ultimately about one-fifth of all federal jobs were classified as bilingual. The total cost of the bilingualism program was estimated to be about $500 million a year in 1976 or about 1.3 percent of federal spending.[219]

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[216] Canada, House of Commons, Debates, 23 June 1970, pp. 8487-8494.

[217] Ibid.

[218] Ibid., p. 8499.

[219] Radwanski, p. 317.

III. DEFENSE POLICY REVOLUTION 1968-1978

A. TRADITIONAL POLICY

1. Canada and NATO

Canadian foreign and defense policy has been intentionally and inextricably interwoven with the fabric of the North Atlantic Treaty Organization since the latter was founded in 1949. Over the years this relationship experienced significant variations in the nature, scope, and importance of the Canadian participation in NATO.

Canada emerged from the Second World War with its industrial plant, territory, and economy intact. Postwar planning was underpinned by the assumption that, in the future, Canada would never have to fight alone and could depend upon collective action. Thus Canada embraced the United Nations concept and renewed the North Atlantic Triangle in 1946. The bases for the Triangle were Canada's imperial relationship with Great Britain and the Canadian-U.S. Ogdensburg Declaration of 18 August 1940. They were updated during the visit of Field Marshal Montgomery to North America and secret agreements were completed to cooperate in research, development, standardization, strategy, and tactics.[220]

The nationalistic reaction of Canada to its rapidly developing and intimate relationship with the United States

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[220]McLin, pp. 9-10.

was largely responsible for the predisposition of the Canadians toward a formal peacetime alliance.[221] Additionally, the resurgence of Soviet power in Europe, coupled with the inability of the United Nations to implement collective security measures, caused a significant reversal of defense policy after Prime Minister Mackenzie King's rapid postwar demobilization. Preliminary steps toward the Atlantic Alliance were taken within the framework of Article 51 of the United Nations charter in March 1948 when Britain, France, Belgium, the Netherlands, and Luxembourg signed the Brussels Treaty on mutual assistance.[222]

Throughout 1947 and 1948 other Western countries began to consider their own defense requirements and the possibility of a broader collective arrangement, reflected in Canada by a series of official speeches by statesmen such as Mackenzie King, Louis St. Laurent, Lester Pearson,

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[221] James George Eayrs, In Defence of Canada: Peacemaking and Deterrence (Toronto: The University of Toronto Press, 1972), pp. 75-106, 319-344. Eayrs discusses the perceived threat to Canadian sovereignty posed by joint ventures such as the construction of weather, LORAN, and radar stations in the arctic as well as joint exercises. McLin, pp. 9-13, discusses these as well as the Principles of Collaboration (12 February 1947): a) interchange of personnel, b) general cooperation, c) standardization, d) mutual and reciprocal availability of facilities, e) sovereign control; the Visiting Forces Act of 1947; and the repurchase of facilities from the United States by Canada.

[222] Canada, Department of External Affairs, Information Services Division, Canada and NATO, Reference Paper 77, (September 1977), pp. 1-2. Article 51 gives U.N. member nations the rights of both individual and collective self-defense and recognizes the right to form regional defensive alliances.

and Escott Reid, anticipated and framed the international discussion. On 28 April 1948, the idea of a single mutual defense system superceding the Brussels Treaty was proposed by Canadian Prime Minister Louis St. Laurent. Negotiations on the North Atlantic Treaty began on 6 July 1948 in Washington, D.C. between the United States, Canada, and the Brussels pact nations.[223] The question of whether the new organization would be an agency of the United Nations was particularly important.

On 19 June 1948 St. Laurent suggested a regional pact with geographical limits and a functional character almost identical to the final shape of the North Atlantic Treaty Organization.[224] The treaty was signed by the conferees on 4 April 1949 and they were shortly joined by Denmark, Iceland, Italy, Norway, and Portugal. Greece and Turkey joined the Alliance in 1952, and the Federal Republic of Germany in 1955.[225]

Canadian diplomats made significant contributions to the negotiation and ultimate shape of NATO in three areas: degree of commitment, status of individual states, and the non-military aspect of the alliance. Canadians sought to guard the right of Parliament to declare war against the

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[223]Ibid., p. 2.

[224]McLin, p. 13.

[225]NATO Information Service, NATO Handbook (Brussels: NATO Information Service, March 1978), p. 26.

European desire for automatic response to aggression.[226] Article V satisfactorily compromised between the two positions by requiring a member to take "forthwith, individually and in concert with the other parties, such action as it deems necessary including the use of armed force."[227] It was a fundamental principle of Canada's policy toward international organization since the interwar period to ensure that member states other than the Great Powers should not be indiscriminately treated together, without differentiation of their important characteristics and abilities.[228] This was reflected in the "functional idea" in Canadian thought, an outgrowth of the functional theory in political science. As reflected in NATO it was represented by the constitutional granting of powers to all organs of the organizations by member nations.[229]

Canadian diplomats were extremely persistent during negotiation of the North Atlantic Treaty to include provisions for non-military cooperation. This was motivated by an understanding that their domestic constituents, especially in Quebec, would not accept a long-term security commitment on military grounds alone as well as a distaste for military solutions to international problems, appreciation that

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[226]McLin, p. 14; and Pearson, Mike, Vol. II, pp. 47-55.

[227]NATO Information Service, p. 10; and Pearson, Mike, Vol. II, pp. 47-55.

[228]Eayrs, pp. 161-163.

[229]McLin, pp. 14-15; and Pearson, Mike, Vol. II, pp. 47-55.

economic weakness could be a threat as significant to Alliance security as military unpreparedness, and the opportunity to realize a traditional and high priority goal of Canadian diplomacy - the forging of strong U.S.-Western European cooperation.[230] In spite of opposition from the United Kingdom and indifference from the United States, Canada prevailed and Article II, which became known as the "Canadian article," was incorporated.[231] These initiatives set the tenor of early Canadian Alliance politics by demonstrating an instance in which Canada had been significantly involved in the development of high policy and by suggesting that this might be feasible on a continuing basis.

Canada always interpreted Article III of the North Atlantic Treaty to mean that the phrase which enjoined members to "develop their individual and collective capacity to resist armed attack" obligated the pooling of military resources between members. However, this was not initially held to require the stationing of Canadian forces in Europe. Instead Canada developed a program of mutual aid which sent Canadian equipment and material to Europe and provided a market for the expansion of Canadian defense industry.[232]

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[230] Ibid., pp. 18-19; and Pearson, Mike, Vol. II, pp. 55-58.

[231] NATO Information Service, pp. 9,13; and Pearson, Mike, Vol. II, pp. 56-58.

[232] McLin, p. 18; and Pearson, Mike, Vol. II, pp. 80-81. The SIPRI Arms Trade Registers for instance reflect the sale of over 160 Sabre aircraft built by Canadair under U.S. license to Greece and Turkey. Such sales were responsible for allowing economical production runs.

This policy was changed after the outbreak of the Korean War at the request of General Eisenhower, then SACEUR. In a Speech from the Throne on 30 January 1951 the government announced plans to send one infantry brigade of 5,000 men for the central front in Germany and eleven squadrons of interceptor aircraft to France for air defense. Additionally, two brigades were kept on reserve in Canada and thirty Canadian ships were earmarked for the NATO Atlantic Command. These forces were committed on the understanding that they would be brought home as Europe recovered its military strength.[233] Canadian military participation in NATO during the early fifties provided significant forces for the augmentation of all sectors of the thin defenses of a Europe just commencing rearmament.

Canadian diplomats were active, in the tradition of their fight for Article Two, in the non-military affairs of the Alliance during this early period. In 1951 Lester Pearson chaired a five-nation committee which investigated and reported upon the concept of the "Atlantic Community." The committee was unable to achieve a consensus on specific methods for increasing collaboration under Article II and achieved no concrete results. Again in 1956, in the wake of internal frictions, the growing Soviet economic threat, and receding Soviet military threats Mr. Pearson chaired a committee of "Three Wise Men" composed of himself, Halvard Lange

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[233]McLin, pp. 19-20.

of Norway, and Gaetano Martino of Italy to consider non-military cooperation and unity.[234] The report of the committee, issued on 15 December 1956 after the Suez crisis, gave critical impetus to the development of political consultation by calling for consultation on all matters of interest to the Alliance during the formative stages of government decision making.[235]

Canada also played an important part in the dialog which clarified the strategic debate about "massive retaliation" and in the discussions which surrounded the German rearmament and accession to the Alliance. Canadian diplomats led by Mr. Pearson forcefully challenged the concept of "massive retaliation" announced by Secretary Dulles on 12 January 1954 along three main lines: first was the possibility of an excessively automatic response to aggression, second was the possible use of inappropriately excessive means of retaliation for minor conflicts, and last was the possibility of retaliation without consultation of allies. This dialog resulted in the satisfactory clarification of the strategic doctrine and, on a continuing basis, contributed to the evolution of the doctrine of flexible response.[236]

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[234]NATO Information Service, pp. 20,28; and Pearson, Mike, Vol. II, pp. 92-94.

[235]NATO Information Service, pp. 20,28; and Pearson, Mike, Vol. II, pp. 95-97.

[236]McLin, pp. 24-25. During the Stafford-Little Lectures at Princeton in 1955 Pearson offered a theory of graduated deterrence.

On the question of German rearmament, Canada was not initially enthusiastic. However, a European Defence Community (EDC), German membership in NATO, or a series of bilateral pacts were all options mentioned by the Canadian government as acceptable in this regard. After the failure of the EDC, Canada strongly advanced the idea of German accession to NATO. Canada participated in the London Conference where the German solution was worked out. Again Canada sought to maintain the unity of NATO and helped avoid a split between Western Europe and North America.[237]

The second major period in the Canadian relationship with NATO extended from 1957 to 1963 during the government of Prime Minister John G. Diefenbaker. During this period the growth of Soviet missile forces gradually undermined the importance of the Canadian air defense role in NATO and the accelerated rearmament of Western Europe relegated the Canadian Army contingent on the continent to a less important role. The major issues concerning Canada and NATO during this period were the withdrawal of Canadian forces from Europe, the re-equipment of the Canadian forces assigned to NATO, and the transformation of the Canadian NATO contingent to perform specialized roles, especially those involving nuclear weapons. Canada assumed a "chipping in" posture with respect to NATO in this period and NATO affairs often

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[237]Ibid., p. 26; and Pearson, Mike, Vol. II, pp. 85-91. Pearson especially wanted to prevent a separate U.S.-German defense relationship outside the NATO context after the collapse of the EDC.

ran second in public attention to the separate, albeit related, issues revolving around the formation of NORAD and the problems associated with Joint Defense Production and Sharing with the United States.

Canadian armed forces were sent to Europe for NATO with the clear understanding that they would be brought home and placed in strategic reserve at the earliest possible moment. Several circumstances combined in the late 1950's to increase pressure on Canada to pursue such recovery. First, Canada was operating with a chronic balance of payments deficit which was exacerbated by maintaining military forces in Europe. Second, high operating costs were incurred in the maintenance of the forces due to two phenomena: Canadian forces were well paid volunteers (as opposed to European conscripts) and they served at the terminus of a 3,000-mile logistics train. This resulted in an inefficient allocation of defense monies in the Alliance and a discussion of Alliance policies. The decision was made on political criteria to leave the Canadian contingent in place. The governing factor was the perception that a Canadian withdrawal might be regarded as a precursor of American action. A lesser consideration was the positive impact attributed to the Canadian forces upon the participation of the smaller European countries in NATO.[238]

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[238]Ibid., pp. 106-107.

During this period the Canadian brigade group in Europe occupied a front line position on the central front in Germany as a part of the British Army on the Rhine (BAOR) although they were not an occupying power like all other forces performing similar duties. Additionally, since the group was independent and isolated, all support and facilities normally provided to a brigade from the division, corps, or army level had to be provided to the group organically, and from Canada. This included a medium artillery regiment, an armored regiment, and bridging. In 1960 overtures were made at the military level to withdraw the brigade group to a mobile reserve position and replace it with a West German force. This overture succumbed to the same political factors which operated in the previous decision to retain Canadian forces in Europe.[239] Subsequently, the capability of the group was improved in early 1962 by the purchase of the nuclear capable Honest John tactical missile system. The acquisition of Honest John was followed by obfuscation on the part of the Diefenbaker government, starting as early as 1958, that it had not conducted negotiations except in a most tentative fashion to obtain nuclear warheads for the weapon system. This pattern of events reoccurred with three other weapons systems during the tenure of this

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[239]Ibid., p. 111.

government and was the root of a significant confrontation in Canadian-NATO relations.[240]

During the late 1950's increased emphasis on the territorial nature of air defense within NATO made the Canadian air division's position increasingly awkward and precipitated a search for an alternative role. Withdrawal, air transport, and multimission roles were rejected for political, prestige, and economic reasons respectively. The role settled upon was strike-reconnaissance. It was first recommended in 1956, discussed by General Norstad and Defence Minister Pearkes in November 1957, and agreed upon in July 1959.[241] The CF-104 aircraft required for this role first became operational in 1962. They were not armed with nuclear weapons until 1964. The reaction to the decision to shift roles was milder than anticipated, especially since it entailed a shift to an offensive, nuclear-armed attack role, in an American-designed aircraft, for the Canadian forces. The shock was mitigated considerably by not mentioning that the role required nuclear weapons and by announcing that the Lockheed CF-104 Starfighter would be produced under license in Canada.[242] When the nature of the CF-104 strike-reconnaissance role was better understood its nuclear role and

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[240] Ibid., pp. 112-114; and Pearson, Mike, Vol. III, pp. 69-75.

[241] Colin S. Gray, "The True North Strong and Free, Canadian Defence Policy in the late 1970's," Round Table, No. 247, (1972): 313.

[242] McLin, p. 117.

lack of suitable weapons became a distinct embarrassment to the Diefenbaker government and contributed to its loss of confidence.

During the Diefenbaker years the Navy escaped significant scrutiny and retrenched in its specialized ASW role within NATO.[243] Its ability to avoid scrutiny was primarily based upon its minority share of the defense budget, the remote location of its forces, and poor comprehension of the naval missions and strategy by potential parliamentary critics. For want of a complete evaluation and reappraisal of maritime strategy the Royal Canadian Navy continued to operate, without interference, on its small scale, in its traditional ASW role, to keep maritime lanes of communication open.[244]

Perhaps the most disruptive issue faced by Canada in its NATO relations during this period was that of nuclear weapons for Canadian forces. Several questions were central to the debate:[245]

> "(1) Should Canadian forces have nuclear weapons under their exclusive control, whether acquired by manufacture or international agreement?

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[243]Gray, "The True North Strong and Free, Canadian Defence Policy in the 1970's," p. 313.

[244]McLin, p. 121.

[245]Ibid., p. 213; and Pearson, Mike, Vol. III, pp. 69-75. McLin devotes 44 pages to a detailed discussion of the nuclear weapons controversy. Only an outline of the debate is provided here. Pearson's few pages are concise, informative, and provide the Opposition viewpoint

(2) In what ways and to what extent should Canada contribute to the U.S. nuclear deterrent by taking measures under its control, such as allowing the storage of American weapons and/or carriers on Canadian territory?

(3) Should Canadian forces in North American and/or Europe be provided nuclear weapons which are not under their exclusive control?"

The debate also involved questions of national obligations to NATO, the effects on disarmament negotiations, secret negotiations by the government without adequate consultation, and misrepresentation by the government of its defense policies. Three weapon systems were primarily involved in Canada: BOMARC surface-to-air missile, Honest John tactical missile, and CF-104 Starfighter strike-reconnaissance fighter. Although these systems entered service in March 1962, "early 1962", and October 1962 respectively, negotiations with the United States for the procurement of warheads for them were not completed until August 1963. Delivery did not begin until 1964.[246]

A domestic debate about nuclear weapons was evaded until a denouement was precipitated by the Cuban Missile Crisis of October 1962. In February 1963, as a direct consequence of the nuclear weapons debate and its incompetence in handling it, the Diefenbaker government was toppled and replaced by a Liberal government, led by Lester Pearson. Pearson had reversed his earlier stand against nuclear

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[246] Ibid., p. 133; and Pearson, Mike, Vol. III, pp. 69-75.

weapons and felt that Canada should honor its nuclear commitments.[247] In May the Pearson government moved quickly to resolve the issue of nuclear forces for Canada. By August 1963 the negotiations were complete to obtain nuclear warheads for the Canadian forces from the United States.[248]

The third period in Canada's NATO relationship began with the issuance of the defense White Paper of 1964 and spans the remainder of the Pearson government until 1968. During this period Canada recognized that she could not maintain her past influence in NATO affairs by moral force or the weight of her military contribution. Canada attempted to regain that influence through the development of a unique military contribution required by the Alliance.

The White Paper of 1964, prepared by Defence Minister Paul Hellyer, outlined a concept for Canada to contribute well-equipped flexible conventional forces with a high degree of strategic mobility to the Alliance.[249] The most dramatic change announced, justified on the grounds of improved cooperation and economy, was the integration of the Canadian armed services as a first step toward unification. Implied

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[247] Ibid., p. 163; and Pearson, Mike, Vol. III, pp. 69-75. Pearson was still convinced that Canada should find a new non-nuclear role, but only after it had fulfilled its extant obligations.

[248] Paul Martin, "A Milestone in Atlantic Partnership," Statement by the Secretary of State for External Affairs in the House of Commons, May 27, 1963, in Canadian Foreign Policy 1955-1965, ed. Arthur E. Blanchette (Toronto: McClelland Stewart, Ltd., 1977), pp. 138-141.

[249] McLin, p. 194.

by the White Paper was a sharp turn away from "balanced collective forces" in which Canadian forces were specialized within the NATO force structure, to the development of balanced, autonomous Canadian contingents.[250] The economy thrust was designed to increase funds available for equipment purchases by consolidating and eliminating redundant personnel billets. This program was to support the Canadian defense industry by the stabilizing effect of a long-term planning program included in the White Paper, preferences for Canadian industry, and the new array of missions, for which Canadian industry was able to compete satisfactorily for weapons contracts.[251]

At the declaratory level the White Paper seemed to signify a reduced willingness to shape Canadian forces according to the strategic requirements of its alliances and a shift toward the United Nations as the preferred collective action agency for Canada. Canadian forces were to be prepared for minor conflicts rather than major ones.[252] In practice, procurement reflected this orientation, especially the production of CF-5 Freedom fighters and the decision to refit the aircraft carrier Bonaventure.[253] However, no effort was undertaken to dismantle or re-equip the existing

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[250]Gray, p. 313.

[251]McLin, p. 197.

[252]Ibid., p. 205.

[253]Gray, p. 314. Bonaventure was subsequently scrapped and the majority of the CF-5's were sold or placed in storage.

Canadian forces although the force structure was changed somewhat. Canada was still heavily engaged in, and committed to by her capital inventory, strategic missions in the NATO scenarios.[254]

2. Canada and NORAD

Defense cooperation between Canada and the United States for continental defense started with secret meetings between the respective Chiefs of Staff in Washington in January 1938. The entry of Canada into the Second World War accelerated talks on military assistance to Canada in the summer of 1940 and provisions were made for permanent and continuous consultations at the highest levels.[255]

On 18 August 1940 the Ogdensburg Declaration announced the formation of the Permanent Joint Board on Defense (PJBD). This body had two working groups staffed from the defense and external relations ministries of the two countries. It functioned as an advisory group for the Heads of State and made recommendations to them on joint military problems. It was also responsible for joint studies and development of joint defense plans.[256]

The Ogdensburg Declaration was complemented by the Treaty for the Advancement of Peace signed on 6 September

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[254] Ibid.

[255] J.C. Arnell, "The Development of Joint North American Defence," Queen's Quarterly, Vol. LXXVII, No. 2, (Summer 1970): 1-8.

[256] Ibid., pp. 9-10.

1940. This treaty went a long way toward easing Canadian concerns about threats to their sovereignty by establishing an International Commission to negotiate and resolve bilateral disputes. Additionally, many open questions on territorial waters and boundaries were resolved.[257]

The Hyde Park Statement of 20 April 1941 supplemented defense planning cooperation and established procedures for joint procurement and payment for war supplies and materials. It was supplemented by the Exchange of Defense Articles Agreement under which each country supplied the material it could produce most efficiently.[258]

Two major infrastructure development projects were jointly undertaken. These were the CANOL pipeline from Norman Wells, NWT to Whitehorse, YT with its associated refinery at Whitehorse for the U.S. Army, and the ALCAN highway and airstrips. Canadians were well aware of the disparities in population, wealth, and power between themselves and the United States, and jealously guarded their sovereignty in all of these dealings. The CANOL Agreement contained explicit buyback provisions, and on 27 July 1944 they concluded a far-reaching Agreement for the Payment of

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[257]Ibid.

[258]Charles T. Bevans, Treaties and Other International Agreements of the United States of America 1776-1949, 6 Vols. (Washington: Government Printing Office, 1971), Vol. 6, pp. 185-193.

Certain Defense Installations, reaffirming that American military operations were not desired in Canada in peacetime.[259]

Although the PJBD became a permanent agency on 12 February 1947, the postwar development of the American and Canadian defense establishments was conducted with a much lower degree of cooperation until about 1949. By early 1949 it had become apparent that emerging air power made all nations vulnerable to modern weapons in spite of distance and space. Additionally the ascending strategic importance of Canada's geographic position between the U.S. and USSR became increasingly apparent. On 21 April 1949, shortly after the signing of the North Atlantic Treaty, the Joint Chiefs of Staff directed the American Continental Air Command (ConAC) to initiate joint planning with Canada for continental air defense.[260]

In Canada two realizations set in at about the same time. First, it became obvious that Canada could not physically and economically make the outlays necessary for her defense and that the U.S. initiative promised an economical way to achieve security. At the same time, Canadians realized that only the most stringent controls on the operation of facilities, visits, and overflights could avoid

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[259]Ibid., pp. 276-279.

[260]U.S., Department of Defense, U.S.A.F., Air Defense Command, Directorate of Historical Services, A Decade of Continental Air Defense 1946-1956 (Ent AFB, Colorado, 1956), pp. 16-18.

sattelitization in a joint venture with the Americans.[261] The original ConAC proposal for 25 radar sites, made on 5 January 1950, was stalled in the PJBD, returned for liason, stalled at the PJBD again, and finally accepted. An exchange of notes on the subject of 1 August 1951 became known as the Pinetree Agreement. The Pinetree Agreement shared costs in a two-thirds U.S., one-third Canada ratio. Canadian men and materials were used in construction. Canada retained title to all sites in its territory, and arrangements were made for Canadians to assume manning at the ten sites originally staffed by the U.S.A.F.[262]

The Pinetree installation was completed in late 1955 but by that time the U.S. had decided that it required augmentation. In 1953 the U.S.-Canada Military Study Group (USCMSG) recommended additional measures to defend against low-flying targets by the addition of sites and the construction of two new detection lines to the north of the Pinetree Line. On 30 June 1954 Canada agreed to build the Mid-Canada Line (MCL) along the 55th parallel from British Columbia to Labrador. On 5 May 1955 an exchange of notes authorized the construction of the 58-station Distant Early Warning (DEW) Line along the

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[261] F.W. Ball, Wing Commander RCAF, "Canada's Role in North American Defense," Unpublished Air War College research study (Maxwell AFB, Alabama, March 1949), pp. 8,22-23.

[262] U.S.A.F., A Decade of Continental Air Defense 1946-1956, pp. 16-18.

69th parallel. This was rapidly followed by the Pinetree Augmentation Agreement on 15 June 1955.[263]

In 1954, as these bilateral agreements were beginning to take form, the U.S. began to sort out the disarray in which postwar interservice rivalry had left is air defense system. Until that time voluntary and uneasy association had been the basis for the relationship between the Army Anti-aircraft Command and the Air Force Air Defense Command (which replaced ConAC which had been formed from the old ADC and TAC!). In September a new unified command, the Continental Air Defense Command, was formed under General Benjamin Chidlaw at Colorado Springs.[264]

The combination of these two developments led to a recommendation by the USCMSG for the establishment of a joint Canadian-American headquarters for continental air defense on 11 May 1957. The Canadian and U.S. governments went foward with the proposal and on 12 September 1957 the North American Air Defense Command (NORAD) became operational under a tentative agreement. On 12 May 1958 the partnership was formalized by an exchange of notes with an initial ten-year term. The agreement limited NORAD to the exercise of operational control in the context of joint consultation between the governments under the aegis of NATO. CINCNORAD

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[263]Canada, Department of National Defence, A Summary of Air Defence Agreements (Ottawa: Canadian Forces Headquarters, 10 August 1972), pp. 1-1 - 1-5; and Eayrs, pp. 356-372.

[264]McLin, pp. 37-38.

and his Deputy were required to be approved by the governments of both countries, and they reported to the U.S. Joint Chiefs of Staff and the Canadian Chiefs of Staff Committee.[265]

The history of NORAD was not tranquil. Its implementation was delayed by intervening Canadian parliamentary elections and a change of government in 1957. More importantly, its continued operation was challenged by a major debate in the Canadian parliament. The main lines of the debate concerned the propriety of the procedure by which the government had decided to enter the joint command, the procedure followed in implementing the decision, and the provisions for civilian control of the military and U.S. control of Canadian forces.[266]

NORAD survived the early challenge but subsequently became embroiled in further disputes over Canadian defense policy. These primarily involved procurement decisions associated with the CF-105 Arrow, CF-101B Voodoo, and CF-104 Starfighter aircraft, nuclear weapons, and the BOMARC missile system.[267]

There were two major air defense additions to NORAD in the 1960's. First was the CADIN Agreement of 27 September

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[265] Ibid., pp. 39-59; and Canada, House of Commons, Standing Committee on External Affairs and National Defence (SCEAND), Minutes of Proceedings and Evidence, 6 May 1969, pp. 1412-1413.

[266] McLin, pp. 47-57.

[267] Ibid., pp. 60-105; and Pearson, Mike, Vol. III, pp. 69-75.

1961. This agreement provided upgraded defensive capabilities by providing for BOMARC nuclear armed missile deployment in Canada, the addition of over 52 new radar sites (45 of these were gapfiller sites which were cancelled in 1963), and the addition of the SAGE system for the Pinetree Line. On 12 June 1961 Canada and the U.S. completed the Triangular Agreement which dealt with Pinetree Line manning and funding, the procurement of CF-104 fighters for NATO, and the U.S. grant of CF-101B fighters for NORAD use.[268]

Throughout the sixties there was a decline in the threat from Soviet strategic bombers and a growing threat from her ICBM's. In 1967 the U.S. decided to build a national ABM system outside of NORAD. This relegated NORAD by 1968 primarily to the roles of strategic warning and space surveillance as anti-bomber defense became de-emphasized. The space surveillance role was implemented by the addition of the Space Defense Center at NORADHQ and a Baker-Nunn camera at Cold Lake, Alberta.[269] The strategic warning role was enhanced by the U.S. construction of the Ballistic Missile Early Warning System (BMEWS) for NORAD.[270]

3. Defense and Foreign Policy

There is a strongly held conventional wisdom among analysts of Canadian defense policy that "in the contemporary

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[268] Canada, Department of National Defence, A Summary of Air Defence Agreements, pp. 2-1 - 6-1.

[269] Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 6 May 1969, pp. 1413-1418.

[270] Ibid.

Canadian case the major purpose of defense policy has been to support foreign policy."[271] This statement has also been further generalized and restated thus: "a Canadian defense establishment...must therefore be aimed at objectives other than national security."[272] The range of objectives suggested for Canadian defense policy has been fairly small.

Jon McLin suggested that the objectives of Canadian defense policy were the promotion of the economic interests of the Canadian defense industry and the support of Canadian diplomacy.[273] McLin argued that purely military explanations such as security from attack and enhancement of NATO's military capability failed to credibly explain why Canada pursued the policies it did. He also enumerated the objectives of Canadian diplomacy which he considered to be supported by defense policies. They were reinforcing the solidarity of the NATO alliance and attaining influence within the alliance.[274]

There have been refinements to McLin's enumeration, but basically no new additions. John Gellner, for instance, asserted that the economic benefits which were the object of defense policy were generally restricted to areas of high

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[271] R.B. Byers, "Defense and foreign policy in the 1970's: the demise of the Trudeau doctrine," International Journal, Vol. XXXIII, no. 2, (Spring 1978): 316.

[272] McLin, p. 4.

[273] Ibid., pp. 3-8.

[274] Ibid.

technology, research and development, and defense production which could be exported.[275] Colin Gray extended the concept a bit further when he argued that military professionals were really the ones who benefitted economically, in the sense that they were able to make any military requirement sound feasible.[276]

Many objectives for attempting to gain diplomatic influence have been suggested. Cuthbertson suggested that influence gained by participation in NORAD allowed Canada to preserve its national confidence and that NATO helped Canada to seek overseas balances to the U.S.[277] Gray argued that it provided access to the policymaking councils which would affect Canada were she represented or not.[278] Douglas saw influence as an "insurance against the loss of autonomy" throughout Canada's history.[279]

Canada's traditional posture was internationalist in nature in 1968. Every government for the previous three decades had acknowledged that defense policy was required to

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[275]J. Gellner, "The Place of Defence In The Economic Life of Canada," in The Canadian Military, ed. H. Massey (Toronto: Copp Clark Publishing, 1972), p. 121.

[276]Colin S. Gray, "The True North Strong and Free, Canadian Defence Policy in the 1i70's," Round Table, No. 247, (1972): 315.

[277]Cuthbertson, pp. 258-275.

[278]Gray, "The True North Strong and Free, Canadian Defence Policy in the 1970's," p. 321.

[279]W.A.B. Douglas, "Why does Canada have armed forces?" International Journal, Vol. XXX, no. 2, (Spring 1975): 279.

support foreign policy.[280] In this outlook, the military contribution to NATO did not drive foreign policy formulation, rather it allowed Canada to pursue foreign policy objectives in spheres unrelated to collective security. In the few instances when foreign policy and defense policy conflicted, such as the nuclear weapons debate, foreign policy triumphed.

B. THE RISE AND FALL OF THE TRUDEAU DOCTRINE

Immediately after the federal elections of 25 June 1968 the new Liberal government of Pierre Trudeau undertook a major reassessment of Canadian foreign policy. The first indication of the outcome of the review appeared in a speech by the Prime Minister on 3 April 1969 in which he announced new priorities for national defense.[281] Nine days later, in Calgary, he told a surprised audience of Liberal supporters that the past relationship between defense and foreign policy had become intolerable and that "we have decided to review our foreign policy and to have defence policy flow from that, and from the defence policy to decide which alliances we want to belong to, and how our defences should be deployed."[282]

Trudeau's foreign policy review was an ambitious attempt to spell out a coherent declaratory policy. The result was

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[280] R.B. Byers, "Defense and foreign policy in the 1970's: the demise of the Trudeau doctrine," p. 316.

[281] Canada, Department of External Affairs, Statements and Speeches, No. 69/7.

[282] Canada, Department of External Affairs, Statements and Speeches, No. 69/8.

Foreign Policy for Canadians, a five-volume work which announced a shift away from Pearsonian internationalism toward a policy closely linked to domestic priorities.[283] Foreign Policy for Canadians was complemented by Defence in the 70s, a White Paper on Defence published in August 1971. The White Paper reiterated the reordered defense priorities which Trudeau had announced in 1969 and placed them within the framework of Foreign Policy for Canadians.[284] The radical initiative of these two works was consummated by a 1972 paper entitled "Canada-U.S. Relations: Options for the future." With the three policy statements in place the government appeared satisfied that a high degree of congruence existed between its stated objectives and the objective conditions of the 1970's.

The Trudeau Doctrine, as these three documents are often collectively referred to, passed through three phases between 1968 and 1978.[285] The first phase included the defense and foreign policy reviews and the initial steps of reorientation prior to the Options paper. The second phase

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[283]Canada, Department of External Affairs, Foreign Policy for Canadians, 5 vols. (Ottawa: Information Canada, 1970), Vol. 1, pp. 8-9.

[284]Canada, Department of National Defence, Defence in the 70s: White Paper on Defence (Ottawa: Information Canada, 1971), p. 3.

[285]Peyton V. Lyon, "The Trudeau Doctrine," International Journal, Vol. XXVI, (Winter 1970-1971): 19-20; and Byers, "Defense and foreign policy in the 1970's: the demise of the Trudeau doctrine," pp. 336-338.

included the three years from early 1973 to late 1975 when defense priorities were shifted to accommodate the Third Option and the search for a contractual link with the E.E.C. The final phase began in 1976 as domestic problems and a changing international situation forced the Government to move progressively closer to the U.S. and to rapidly divest itself of the last vestiges of its earlier policies.[286]

By the beginning of 1978 the "Third Option" had been jettisoned, Canada's traditional foreign policy was resumed and the Canadian Armed Forces had returned to the operating principles and priorities established by the 1964 White Paper. The Trudeau Doctrine was dead. The experience of the 1970's indicated the futility of declaratory policy in a world of constant changes and the folly of using defense and foreign policy as extensions of domestic policy.

Or did it? Critics of the Trudeau Doctrine had certainly dismissed it and begun looking for a successor in late 1976 and early 1977.[287] However, in early 1979 superceding policies had not appeared nor had the old Trudeau Doctrine been explicitly repudiated by the Government. Did Trudeau, the combatative, confrontationalist, egotist uncharacteristically

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[286] Byers, "Defense and foreign policy in the 1970s: the demise of the Trudeau doctrine," pp. 336-338.

[287] R.B. Byers, "Defense for the Next Decade: The Forthcoming White Paper," Canadian Defence Quarterly, Vol. 7, no. 2, (Autumn 1977): 18-22; and L. Rossetto, "A Final Look at the 1971 White Paper on Defence," Queen's Quarterly, Vol. LXXXIV, (Spring 1977): 61-74.

slink away? Why not? What were the specific objectives of the Trudeau doctrine? Were any of them achieved? How? Why, or why not? These questions were not addressed by Trudeau's critics. At the very least, the political slate had been left in an uncharacteristically sloppy state in 1978 if the critics' diagnosis was accepted.

C. THE TRUDEAU DOCTRINE REVISITED

Pierre Trudeau's decision to enter politics in 1965 was made in direct response to the development of politicized bicultural nationalism in Canada.[288] Trudeau's entire stewardship focused upon the problems of national unity. He rejected the idea that federal institutions were outmoded and insisted that the national problems stemmed from a failure to utilize the existing institutions.[289] Every one of Trudeau's policies was designed ultimately to foster in all Canadians, but especially in French Canadians, a sense of equality in, and proprietary right to, Canada as a whole.[290] In order to establish this pride in Canadian identification it also was necessary for Trudeau's policies to help establish the uniqueness and self-evident value of the Canadian identity. In order to adequately assess the success or failure of the Trudeau Doctrine, it must be analyzed in terms of Trudeau's national unity reference and his desire to de-politicize bicultural nationalism.

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[288] Trudeau, "CTB Interview 'W5'."

[289] Trudeau, Federalism and the French Canadians.

[290] Radwanski, p. 315.

The basic document containing the Trudeau Doctrine was Foreign Policy for Canadians. The concern for national unity permeated the work. The reasons listed for reviewing foreign policy included "the reverberations of the quiet revolution in Quebec,"[291] questioning the "need for continuing Canadian participation in NATO,"[292] and "the renaissance of French-Canada with its direct consequences for relations with French-speaking countries."[293] The relationship between foreign and domestic policy which characterized the Trudeau Doctrine is very clear in this passage: "external activities should be directly related to national policies pursued within Canada, and serve the same objectives...in essence, foreign policy is the product of the Government's progressive definition and pursuit of national aims and interests in the international environment. It is the extension of national policies."[294]

The Basic National Aims of Canada were described in terms that left no doubt of their applicability to Trudeau's cultural and language policies: The Basic National Aims

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[291] Canada, Department of External Affairs, Foreign Policy for Canadians, Vol. 1, p. 7.

[292] Ibid., p. 8. The question of a long-term NATO commitment with only a military content is one which is divisive along national lines. The fear of the reaction by the Quebec population to just such a situation was what originally prompted the Canadians to suggest Art. 2 of the NATO Treaty.

[293] Ibid.

[294] Ibid.

"encompass the main preoccupations of Canada and Canadians today: national sovereignty, unity and security; federalism, personal freedom and parliamentary democracy; national identity, bilingualism, and multicultural expression."[295] Foreign Policy for Canadians named six main themes through which the Basic National Aims were pusued. Two of the themes, safeguarding sovereignty and independence, and enhancing the quality of life, specifically engage elements of Trudeau's cultural and language policies.[296]

The necessity to prioritize and make choices between policy themes was recognized and discussed in Foreign Policy for Canadians. The Government stated that it "must assess its various policy needs in the context of two inescapable realities, both crucial to Canada's continuing existence:

- Internally, there is the multi-faceted problem of maintaining national unity...
- Externally, there is the complex problem of living distinct from but in harmony with the world's most powerful and dynamic nation, the United States."[297]

In forecasting prospects for the seventies, and describing emerging policy, the following statements were made in Foreign Policy for Canadians:

> "...the Government favours and is pursuing...policies at home and abroad which convince all Canadians that the Canada they have is the kind of country they want."[298]

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[295] Ibid., p. 11.

[296] Ibid., pp. 14-16.

[297] Ibid., pp. 20-21.

[298] Ibid., p. 28.

"...the survival of Canada as a nation is being challenged internally by divisive forces. This underlines further the need for new emphasis on policies, domestic and external, that promote economic growth, social justice, and an enhanced quality of life for all Canadians."[299]

"The decision on Canada's future military contribution to NATO...was based on the Government's belief that... there would be better uses for the Canadian Forces and better political means of pursuing foreign policy objectives than through continued military presence in Europe of the then existing size."[300]

"Defence arrangements must...ensure respect for Canada's sovereignty and territorial integrity, and...sustain the confidence for the United States and other allies."[301]

Defence in the 70s was an attempt by the Government to describe the main elements of defense policy and place its policy in the context of the National Aims and Policy Themes established in Foreign Policy for Canadians. Canadians were told that other challenges than armed attack might challenge Canada's sovereignty and independence in the 1970s and that "they could come both from outside and from within the country...and...must therefore be a matter of first priority."[302] The White Paper also noted that the Armed Forces provided an important reservoir of skills for national development. "The Armed Forces make an important contribution to Canada's unity and identity in a number of ways...they bring together Canadians...into an activity that is truly national

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[299]Ibid., p. 32.

[300]Ibid., p. 33.

[301]Ibid., p. 37.

[302]Canada, Department of National Defence, Defence in the 70s: White Paper on Defence, p. 8.

in scope and purpose...they are distinctively Canadian."[303] Finally it stated that "a further objective of this policy will be to promote greater involvement of the military in the community, and to ensure that the community is aware of the ways in which the military sector contributes to achieving national arms and priorities."[304]

One of the major statements in the White Paper was that "the Canadian Forces have a major role to play in promoting national unity...it is essential...that they reflect the bilingual and bicultural nature of the country."[305] The White Paper reviewed some of the steps taken in this direction.

Finally, there was the paper "Canada-U.S. Relations: Options for the Future."[306] This paper was especially important since it was not issued until almost four years after the foreign policy review began and two years after Foreign Policy for Canadians was published. Thus any deviation in the tenets of the two documents would have been of significance. Additionally, a major perturbation occurred in the international system in the interim between the publishing of the two documents: the American trade restrictions and surtax.[307]

[303] Ibid.

[304] Ibid.

[305] Ibid., p. 46.

[306] Mitchell Sharp, "Canada-U.S. Relations: Options for the Future," International Perspectives, Special Issue, (Autumn 1972): 1-24.

[307] Norman Hillmer and Garth Stevenson, eds., Foremost Nation: Canadian Foreign Policy and a Changing World (Toronto: McClelland and Steward, Ltd., 1977), p. 29.

What was found however was a stand for the "Third Option" that is essentially a restatement of the declarative policy in Foreign Policy for Canadians and a logical development of it. The "Third Option" was chosen in the context of Canadian nation-building:[308]

> "Distinctness has no autonomous virtue of its own. It is not an end in itself. In the process of nation-building, however, it is a substantial factor of cohesion. In the case of Canada, in particular, it is arguable that the perception of a distinct identity can make a real and discernable contribution to national unity...
>
> If Canadians say they want a distinct country, it is not because they think they are better than others. It is because they want to do the things they consider important and do them in their own way. And they want Canadian actions and lifestyles to reflect distinctly Canadian perspectives and a Canadian view of the world."

It was exactly the same context associated with the earlier foreign policy review.

Two major conclusions about the Trudeau Doctrine are inescapable from the preceding analysis. First, the Trudeau Government's struggle against the divisive aspects of bicultural nationalism, the central element of its domestic policies, was accurately and consistently incorporated as a major determinant of its foreign and defense policies. Second, in spite of major intervening disruptions in the international system and temporal separation of almost four years, the domestic determinants of foreign policy remained constant and consistent in their effect.

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[308] Sharp, "Canada-U.S. Relations: Options for the Future," p. 20.

Two more major questions must be asked in this assessment of the Trudeau Doctrine. Was the doctrine effectively and consistently translated into actions within the foreign policy and defense policy spheres? With what effect?

One major element of the defense policy was the implementation of the Canadian Armed Forces (CAF) Bilingualism Program.

Even though the Canadian Army had had one bilingual regiment, the Royal 22nd Regiment (R22R) "Vandoos," since the First World War, and had formed the French language College Militaire Royal at St. Jean in 1952 in the wake of the Korean War, the Canadian Armed Forces received one of the worst reports from the Royal Commission on Bilingualism and Biculturalism when it issued Book III of its Report in September 1969.[309] Prime Minister Trudeau had noted that "in the federal civil service, for example, and even more so in the Canadian armed forces, a French Canadian started off with an enormous handicap - if indeed he managed to start at all."[310] Yet, by May 1976, the Commissioner of Official Languages had cited the Department of National Defence for having the best program for bilingualism in the federal government.[311] What had happened in the interim?

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[309]Canada, Royal Commission on Bilingualism and Biculturalism, Book III, pp. 293-345; and Eayrs, p. 69.

[310]Trudeau, Federalism and the French Canadians, p. 47.

[311]Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 20 May 1976, No. 41, p. 8.

The main objectives of the Department's bilingualism development program were to serve the needs of both official language groups in Canada with equal facility, provide equal career opportunities and conditions of service for French-Canadians, allow Francophones to pursue their career in their mother tongue, and to ensure that the CAF represented the national linguistic ratio at all levels in the Force.[312] The first formal plan for the management of bilingualism in the CAF was tabled in February 1971 and called for raising the level of bilingualism from ten percent among the officers to 40 percent by 1976 and 60 percent by 1980. For non-commissioned officers the objective was to progress from 20 percent bilingual in 1971 to 35 percent in 1976 and 55 percent in 1980.[313] The policy was revised in 1972 into its current three-phase fifteen-year program.[314] The objectives were also expanded in 1972 to ensure that the linguistic and cultural values of both language groups were reflected in the CAF, to ensure that all internal communications of general interest were prepared in both official languages, and to assist the CAF in the acquisition of second language

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[312]Canada, Department of National Defence, Defence 1972, p. 103.

[313]Canada, House of Commons, Debates, 26 February 1973, pp. 3781-3783.

[314]Canada, Department of National Defence, Directorate of Official Languages, Program To Increase Bilingualism And Biculturalism In The Canadian Armed Forces, P 1211-0 (DBPR), 7 April 1972. The new quotas gave three breakout points temporally and four divisions by rank.

skills, and provide facilities for reinforcement and retention of acquired skills.[315]

The primary programs to enhance bilingualism in the CAF were French Language Units (FLU), language training, and personnel administration. On 23 June 1970 the Prime Minister announced that FLU's would be formed in the public service and CAF.[316] By 3 February 1971 the CAF had decided that 18 FLU's would initially be established. They were to be manned by Anglophones and Francophones with the internal language and language of work to be French. The units retained a bilingual communication capability for external transactions.[317] In February 1971 the 5th Combat Group, consisting of elements of the Royal 22nd Regiment (R22R), 12th Armored Regiment, a General Headquarters and engineering elements were functioning as an FLU as were the 1st Battalion, R22R in Europe, HMCS Ottawa, and the 433rd Squadron at Bagotville.[318] In April 1975 a second set of 18 FLU's were announced by the Minister of National Defence with manning to be completed by 1978.[319]

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[315]Ibid., pp. 1-2.

[316]Canada, House of Commons, Debates, 23 June 1970, pp. 8487-8494.

[317]Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 3 February 1971, No. 15, pp. 17-21.

[318]Ibid. The unit titles herein are translated. FLU's may normally be recognized by their French language titles.

[319]Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 15 April 1975, No. 12, p. 39.

The implementation of the CAF bilingualism program required a drastic adjustment of all CAF training programs. One of the earliest adjustments was the introduction of FRANCOTRAIN, a program which allowed Francophones to pursue technical training in their native tongue. If English was ultimately required in a billet, English language training followed technical training in French.[320] The results were spectacular. The rate of satisfactory technical training completion for Francophone trainees jumped 45 percent, equalling the figures for Anglophones, and spinning off benefits in retention of Francophones.[321] The Base Language Training Program (BLTP) started in 1972 at 29 bases with 70 teachers and 1500 students. The program provided one hour per day instruction and required two hours per day self-study. Its availability was ultimately expanded to over 68 bases.[322] Formal language training was provided at a consolidated CAF facility at St. Jean, P.Q. and both of the primary military colleges phased into mandatory bilingual training.[323]

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[320]Canada, House of Commons, SCEAND, Minutes oof Proceedings and Evidence, 3 February 1971, no. 15, p. 17.

[321]Canada, Department of National Defence, Director General of Official Languages Speech to Command and Staff College, Toronto, 14 April 1978, pp. 9-10.

[322]Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 22 May 1973, No. 13, p. 35.

[323]Canada, House of Commons, Debates 26 March 1976, p. 1145; and Canada, House of Commons, Debates, 24 March 1975, p. 4417. Basic English: 23 weeks, Advanced English: 15 weeks, Formal French: 24 weeks. Some immersion training is provided by the Public Service Commission for senior personnel. Royal Roads Military College, which had only a minor cadet output, did not offer bilingual training. It was planned to phase out this institution.

Personnel policies were modified in several ways to promote bilingualism. Promotion opportunities (i.e. there were more vacanies, not different standards for selection) were often better in Francophone units,[324] and some adjustments to the Promotion Merit Lists were made, generally only at the level of Major and above, to meet national linguistic ratio requirements and for the "needs of the service."[325] For officers above the rank of Captain, the ability to speak a second language became an element of merit in selection for promotion.[326] In addition to promotion opportunities, recruiting goals and quotas were established to help reach and maintain bilingualism goals. However, no differentiation by native tongue was introduced into the enrollment standards.[327]

Although some of the costs of the CAF bilingualism program were identified in the annual Estimates, it was noted as early as 1969 that "the cost of the bilingualism program

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[324]Canada, House of Commons, Debates, 4 February 1971, pp. 3064-3065.

[325]Canada, House of Commons, Debates, 28 April 1976, pp. 12959-12960. The promotion of an officer who would have otherwise been promoted is 'protected' against the next vacancy. Some adjustments were also made among NCO's. Although the adjustments are supposed to be made on the basis of language proficiency, there is some evidence that they may have been made on the basis of ethnic background as well. This would have provided distinct advantages to ethnically French personnel.

[326]Ibid.

[327]Canada, House of Commons, Debates, 13 July 1977, p. 7624; Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 20 May 1975, No. 23, pp. 11-32; and Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 28 March 1974, No. 6, p. 37.

in the Canadian Forces cannot be accurately determined at this time as records are not maintained in a manner which would provide this date."[328] The task of identifying costs associated with the bilingualism program became more difficult as the accounting objects categories and format of the Estimates of the Minister of Finance changed three times between 1968 and 1978. Searches of the Department of Finance Estimates, House of Commons Debates, and SCEAND Minutes of Proceedings and Evidence provided enough evidence to make a reasonable estimate of the costs in the early through mid-70s. (This estimate assumed a five-year payout period for major construction projects). Capital costs, primarily associated with the Royal Military Colleges and the CFB St. Jean facility were calculated to be about $22 million per annum.[329] The operating costs, which consisted primarily of wages, administration, and tuition for dependents, were calculated to be approximately $47 million per annum. During the period in question, one of catastrophically dropping defense budgets and reduced capital expenditures, approximately 3 percent of the annual defense budget was eaten up by the bilingualism program. This program expenditure was about 25 percent of the size of the

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[328] Canada, House of Commons, Debates, 26 March 1969, p. 7145.

[329] Translation costs which run ~.5 percent of a new procurement package are included here also. For instance, translation costs for the Aurora program were budgeted for $5 million out of a $1 billion contract according to testimony before SCEAND by B. Gen. Allan on 13 May 1976.

capital procurement budget and 350 percent of the NATO common infrastructure program contribution during this period.[330]

Money spent on the CAF bilingualism program clearly supported the biculturalism objectives of the Trudeau government. In 1968 less than 16 percent of the CAF were Francophones.[331] By mid-1977 that number had been increased to 23.3 percent of the CAF.[332] The FLU's rapidly expanded opportunities for Francophones while FRANCOTRAIN improved their abilities to exploit those opportunities. The CAF were a model for the country of the potential benefits of the federal language and culture programs.

While the CAF bilingualism program entered full swing other facets of defense policy also began to yield domestic benefits. In 1969 the Canadians had been engaged in an internal debate about the necessity for a strictly military NATO alliance in a world they perceived as rapidly becoming multipolar.[333] Additionally tensions were running high in

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[330]Information for bilingualism costs were derived from the following documents: Department of Finance Estimates 1967-68 through 1977-78; section 15 and supplemental estimates; House of Commons Debates, (26 March 1969, pp. 106-107), (24 March 1975, p. 4417), (30 May 1975, p. 6287), (10 May 1976, pp. 13342-13343), (26 October 1976, p. 464), (4 August 1977, p. 8010); and SCEAND Minutes of Proceedings and Evidence (28 March 1973, p. 6:39), (22 May 1973, p. 15:35), (15 April 1975, p. 12:39), (13 May 1975, p. 21:31), (20 May 1975, pp. 23:14, 23:32), (13 May 1976, p. 39:14).

[331]Canada, House of Commons, Debates, 25 April 1968. This was as low as nine percent in the Maritime Command.

[332]Canada, House of Commons, Debates, 13 July 1977, p. 7630.

[333]Cuthbertson, pp. 217-219.

Quebec and the separtist Parti Québécois had recently begun to organize for its first election.[334] The decision was made to reduce Canada's NATO commitment by converting the Brigade Group and Air Division to a half-sized, co-located, light, air-mobile combat group.[335] Its CF-104 squadrons were relieved of their nuclear-strike role, and their tanks and Honest John missiles were retired.[336]

This policy change accomplished several objectives. First, the defense expenditures associated with the force were reduced and became available for other uses. Second, it made the roles and equipment for home and overseas based units compatible and moved them toward a capability more consistent with the growing political unrest at home and the growing CAF commitment to internal security.[337] Third, the rebasing allowed the Francophone units of the CAF to exercise with their counterparts from the French Army.[338] Finally, the reduction in the NATO forces at a time when the public consensus on their necessity was low forestalled any political

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[334]Saywell, pp. 19-29.

[335]Canada, Department of National Defence, Defence in the 70s: White Paper on Defence, pp. 32-38.

[336]Ibid. The tanks were to be replaced by a light-wheeled armored vehicle such as the British Scorpion.

[337]Ibid.; and Cuthbertson, p. 237. Cuthbertson recounts a growing number of practice alerts and a revision of internal security doctrine, both made with the Quebec situation in mind, from his own Army experience.

[338]Strome Galloway, Col., "Defence: The Great Canadian Fairy Tale," Army Quarterly and Defence Journal, Vol. 102, no. 4, (1972): 422.

advantage for the growing Parti Québécois. The initial PQ platform included the renunciation of NATO and NORAD, while longterm military commitments outside of Canada had a history of French-Canadian opposition. That opposition was a significant factor in earlier foreign and defense policy formulation for Canadian ministers.[339] The Prime Minister's statement of 3 April 1969 stressed that the contribution of the CAF to "supplementing the civil authorities and contributing to national development" was their primary responsibility while reaffirming the Canadian commitment to NATO and stating that the Canadian NATO reductions were contingent upon "the ability of European countries themselves to provide necessary conventional defense forces and armaments to be deployed by the alliance in Europe."[340] In Foreign Policy for Canadians (Europe), the basis for the conditional reduction of Canadian forces in NATO was further related to detente and the "absense of concern about immediate physical security."[341] The Trudeau government clearly recognized that trade-offs were involved in their decision to stress domestic determinants for foreign and defense policy and that the preservation of Canadian security might, in changed

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[339]Parti Quebecois, Official Program, 1970 Edition, p. 11; Pearson, Mike, Vol. II, p. 55; and Eayrs, p. 134.

[340]Canada, Department of External Affairs, Statements and Speeches, No. 69/7.

[341]Canada, Department of External Affairs, Foreign Policy for Canadians, Vol. II, p. 11.

circumstances, require an upward revision in the Canadian contribution to NATO.[342]

Before the 1973 admission of Great Britain, Ireland, and Denmark to the European Economic Community (EEC), Canada had not been a major trading partner of the EEC. Dramatically, after 1973, Canada became a major supplier of wood pulp, nickel, and iron to the EEC within a very short period.[343] In April 1974 the Canadian government first proposed a "contractual link" between the EEC and Canada to place their relations on a "juridical basis."[344] After early resistance on the part of some EEC members, particularly France, was overcome, the EEC foreign ministers agreed in June 1975 to go ahead quickly with negotiations on the contractual link and Canada and the EEC signed a framework agreement for commercial and economic cooperation on 6 July 1976.[345]

During the negotiations for the contractual link the West German government commented, in early July of 1975, upon the Canadian military contribution to NATO, especially the lack of armor in the CAF. It was reportedly intimated that the

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[342]Canada, Department of External Affairs, Foreign Policy for Canadians, Vol. I, pp. 17,13; and Canada, Department of External Affairs, Foreign Policy for Canadians, Vol. II, p. 11.

[343]Canada, Department of External Affairs, European Community: The Facts (Ottawa: Minister of Supply and Services, 1976), p. 31.

[344]Ibid.

[345]Ibid., p. 22 (Insert); Hillmer, pp. 32-35; and Peter Regenstreif, "Canada's Foreign Policy," Current History, Vol. 72, no. 426, (April 1977): 152.

acceptance of the "contractual link" by West Germany was contingent upon Canadian revision of its NATO armor commitment.[346] The conventional view of the diplomacy surrounding the "contractual link" holds that the Canadian government folded under the German linkage between tanks and an EEC contract, rapidly discarded the Trudeau Doctrine, and made a forced march via the Defence Structure Review (DSR) back into the military mainstream of the Atlantic Alliance after which foreign policy once again dictated defense policy.[347]

There are however, problems with the conventional interpretation. First, the approach back to NATO began almost immediately after the scale-down of the Canadian military commitment, and was not precipitously begun as a result of the negotiations for a "contractual link." Canadians took part in all of the political functions of NATO throughout the early 1970's and were principal participants in the development, preparation, and execution of the Mutual and Balanced Force Reduction (MBFR) talks, the Conference on Security and Co-operation in Europe (CSCE), and the Committee

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[346]Hillmer, pp. 32-24; and Byers, "The Canadian Military," p. 182.

[347]Byers, "Defense and foreign policy in the 1970s: the demise of the Trudeau doctrine," pp. 332-338; Byers, "The Canadian Military," pp. 182-183; and Regenstreif, "Canada's Foreign Policy," p. 152.

on the Challenges of Modern Society (CCMS).[348] The Canadian Minister of External Affairs, Mitchell Sharp, had begun making public conciliatory speeches as early as 1973,[349] and the rapprochement was virtually completed less than two months after the initial aide-memoire by Canada on the contractual link with the approval, on 19 June 1974, and signing, at NATO headquarters on 26 June 1974, of the Atlantic Declaration of Ottawa.[350]

A second critical problem with the conventional interpretation is that it assumes that the DSR was initiated in response to the German criticsms and reflects an abandonment of the Trudeau Doctrine. In fact, the DSR had its roots

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[348]NATO, NATO Information Service, NATO Facts and Figures, (Brussels: NATO Information Service, 1978), pp. 73-87, 101-103; James R. Huntley, Man's Environment and the Atlantic Alliance (Brussels: NATO Information Service, 1972), pp. 7-11; Hillmer, pp. 37-62; W.B. Prendergast, Mutual and Balanced Force Reduction (Washington, D.C.: A.E.I., 1978); Canadian Delegation to the Conference on Security and Co-operation in Europe, "Implementation of the Final Act of the CSCE," February 1977, pp. 1-3; Canadian Delegation to the North Atlantic Treaty Organization, "Mutual and Balanced Force Reductions (MBFR)," March 1977, pp. 1-3; and Canadian Delegation to the North Atlantic Treaty Organization, "The Committee on the Challenges of Modern Society (CCMS)," July 1977, pp. 1-3.

[349]Canada, Department of External Affairs, Statements and Speeches, No. 73/12.

[350]"The Atlantic Declaration of Ottawa," International Perspectives, July/August 1974, pp. 46-48. The Declaration stated, in part, that "...All members of the Alliance agree that the continued presence of Canadian and substantial U.S. forces in Europe plays an irreplaceable role in the defense of North America as well as Europe..." and that "...The members of the Alliance consider that the will to ensure their common defense obliges them to maintain and improve the efficiency of their forces and that each should undertake, according to the role that it has assumed in the structure of the Alliance, its proper share of the burden of maintaining the security of all."

in the funding constraints of the early 1970's and its proximate cause was the receipt by the Department of National Defence of its funding level for 1976/76 in the Fall of 1974. Due to the combined effects of budgetary restraints, inflation, and the rising percentage of personnel costs in the budget several effects had been felt by the CAF; first was a reduction in personnel, second was a reduction in capital spending, third was an aging of equipment resulting in the technical dating, and in some cases, obsolescence of equipment.[351] In 1974 these effects had reached critical proportions as manpower declined to 78,000 at the same time that projected requirements were rising, inflated by the expansion of national jurisdictions forecast by United Nations Third Law of the Sea Conference. At the time the Chief of the Defence Staff, General Dextraze, informed the Minister of National Defence that he could not reduce manpower below its existing level without a grave loss of combat capability. He further stated that any additional loss of combat capability should be undertaken only as a result of a basic change in defense policy objectives.[352]

The result of that confrontation was the DSR which was ordered in December 1974 to review the tasks, organization,

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[351] R.M. Withers, Major-General, "Canadian Defence Requirements," Speech by the Associate Assistant Deputy Minister (Policy) to the Royal Canadian Artillery Association, February 11, 1976 (Extracts), Canadian Defence Quarterly, Vol. 5, no. 4, (Spring 1976): 65.

[352] Ibid.

and resources of the Canadian Forces.[353] The review was conducted in three phases. Phase One defined the tasks which the CAF must perform based upon the current foreign and defense policy or proposed Cabinet modification thereto. The Cabinet accepted 55 tasks.[354]

Phase Two was completed in November 1975 and examined optional force structures based upon the combat capability demanded by the tasks identified in Phase One. Following Phase Two of the DSR, the Government reaffirmed its commitment to the four priorities for the CAF identified in Defence in the 70s. Other major decisions taken by the Cabinet included: maintenance of the CAF at a level of 78,000 Regular and 22,000 Reserve Force personnel; the continued maintenance in Europe of mixed air and land forces with adequate equipment; replacement of the Argus maritime patrol aircraft which had been in service since 1957; and studies for new fighter aircraft and ship replacement programs to be undertaken by the Cabinet in 1976.[355]

A significant improvement was made in the financial situation of the Department of National Defence by releasing

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[353]Canada, Statistics Canada, Ministry of Industry, Trade and Commerce, Canada Handbook, (1978), p. 363; and C.J. Marshall, "Canada's forces take stock in Defence Structure Review," International Perspectives, No. 1, (January/February 1976): 26-30.

[354]Ibid.

[355]Ibid.; and Canada, House of Commons, Debates, 27 November 1975, pp. 9502-9507.

the previously frozen budget and by deciding to compensate future expenditures for personnel, operations, and maintenance for the effects of inflation. Additionally the government agreed, starting in fiscal year (FY) 76/77, to increase the capital budget by 12 percent, in real terms, per annum for the next five years.[356] Phase Three of the DSR was a review of the command and control, logistics, and training infrastructures required for the selected force model.[357]

The DSR was initiated because of conditions which arose from the implementation of the Trudeau Doctrine, but it was initiated over six months before the first West German statements about the Canadian armor situation. Further, the DSR was undertaken in reference to the defense priorities enumerated in Defence in the 70s, and it reaffirmed the validity of those priorities. While the DSR did result in a shift in the Canadian position on tanks for its forces, and an agreement to purchase 128 German-manufactured Leopard II main battle tanks was completed in the Spring of 1976,[358] no other change was made in the size or role of the CAF contingent for NATO. The conventional interpretation that the DSR was the instrumentality for the abandonment of the Trudeau Doctrine is thus seriously flawed.

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[356] Ibid.

[357] Ibid.

[358] Byers, "The Canadian Military," p. 182.

A third problem with the conventional interpretation is that it assumes that the Canadian decision to purchase Leopard II tanks was the factor which allowed a contractual link with the EEC to be completed. While this undoubtedly had some impact on German behavior, it was not the critical point on which the completion of the "contractual link" turned. The French were the primary impediment to the completion of the "contractual link." When Prime Minister Trudeau returned from his sixteen-day trip to Europe in March 1975 he had received promises of support for his "contractual link" in every capitol but Paris.[359] After the French withdrew their objections to negotiations at the meeting of EEC foreign ministers in Luxembourg in June 1975, the agreements for commercial and economic cooperation were completed rapidly.[360]

There is, finally, one important question that is not adequately addressed by conventional interpretations but which is central to any assessment of the Trudeau Doctrine and the EEC "contractual link." What was the purpose of the "contractual link"? Canada had smoothly functioning political and economic links with the members of the EEC without a "contractual link." These included EEC association through the Commonwealth, the NATO consultative network, the

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[359] Hillmer, p. 33. Thus, West German agreement to the "contractual link" predates their initial comments on the Canadian armor situation.

[360] Ibid.

Organization for Economic Cooperation and Development (OECD), and the General Agreement on Trade and Tariffs (GATT). These contacts bely the conventional answer that Canada sought consultative rights. Another conventional answer is that Canada sought to shift its exports to the EEC out of the resources sector, but it was clear before the initiative that the EEC members had no such interest and would resist any attempt to do so. At any rate, the "contractual link" did not accomplish the shift to manufactured goods.[361] Finally, Canada had previously been opposed to enlargement of the EEC because it tended to divert trade away from Canada.[362]

The reasons for the installation of a redundant vehicle for consultation and the reversal of previous Canadian policy can be found in the domestic determinants context of the Trudeau Doctrine. Canadian authorities had advised Great Britain by 1970 of the possible impact on Canadian exports of British accession to the EEC and had urged the establishment of consultation procedures before, during, and after negotiations on accession.[363] The British accommodated the request and the result was that Britain brought a large number

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[361]Hillmer, p. 28; Roger Hill, Political Consultation in NATO (Toronto: Canadian Institute of International Affairs, 1978), pp. 112-133; A. LeRoy Bennet, International Organizations: Principles and Issues (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1977), pp. 316-317; and Anthony J.C. Kerr, The Common Market and How It Works (New York: Pergamon Press, 1977), pp. 144, 156-159.

[362]Canada, Department of External Affairs, Foreign Policy for Canadians, Vol. II, pp. 16-17.

[363]Ibid.

of the Commonwealth states into association with the EEC on its accession.[364] The increased trade for Canada which resulted from this approach to British accession significantly fostered economic growth in Canada and enhanced Canada's ability to be an entity distinct from the United States. In the wake of the American revision of trade policies and the proclamation of the "Third Option" in 1972, the Canadian association with the EEC became more and more attractive.

The "contractual link" also had two other domestic benefits for Canada. First, a juridical basis for the Canada-EEC relationship, beyond its Commonwealth association with Great Britain, would complicate any attempt by a schismatic Quebec government to push rapidly for independence. The major commodities traded between Canada and the EEC originated in Quebec, but were transhipped, with essential intermediate processing, from Ontario or the Maritimes.[365] Thus rapid independence on the part of Quebec could economically threaten the EEC as well as the rest of Canada.

Finally, the Canadian "contractual link," by its close association, in the popular mind, with NATO membership tended to reinvigorate the NATO relationship for French-Canadians. This, along with the apparent failure of the CSCE Helsinki Accords to yield any changes in Soviet Bloc behavior, the

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[364] Kerr, The Common Market and How It Works, pp. 8-13, 22-26.

[365] Canada, Government of Canada, Trade Realities in Canada (Ottawa: Minister of Supplies and Services, 1978), pp. 5-8, 17-21.

apparent deadlock in the MBFR talks, and the dramatic build-up of Warsaw Pact forces resulted in a major change in the 1978 Edition of the Parti Québécois program. The promises to scrap NATO and NORAD out of hand were deleted and replaced by a commitment only to re-evaluate military alliances.[366]

Other developments in Canadian defense policy during the period 1968-1978 also reflected the continuing and effective existence of the Trudeau Doctrine rather than its demise and a return to traditional foreign and defense policies. One effective indication was that the Department of National Defence continued to reiterate the priorities of Defence in the 70s in each of its annual reports.[367] Additionally it explained the development of Department of National Defence Tasks and Objectives from the National Aims and Policy Themes of Foreign Policy for Canadians and presented its annual report of defense activities in that context.[368] There would obviously be no need to do this if the Trudeau Doctrine had been discarded.

The "Third Option" objective "of living distinct from but in harmony with...the United States" has been continuously reflected in the relations between the United States and Canada concerned with NORAD between 1968-1978. Special

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[366]Parti Québécois, Official Program, 1978 Edition, p. 12. Anticipation of U.S. reaction to independence may have also played a role.

[367]Canada, Department of National Defence, Defence 1976, pp. 2-5.

[368]Ibid., p. 8.

hearings were held on the renewal of the NORAD agreement in 1969, 1973, and 1975.[369] The agreement was renewed, with slight modification, on 30 March 1968, extended without change for two years on 10 May 1973, and renewed for five years on 8 May 1975.[370] During the ten-year period in question changes in NORAD operating procedures were made to assure that Canadian personnel were replaced immediately if the United States unilaterally placed its armed forces in a higher state of alert or vice versa.[371] Additionally safeguards were enhanced to assure that Canadian government approval is obtained before Canadian aircraft are armed with nuclear air-to-air missiles or before CINCNORAD deploys American aircraft in a higher alert status than the CAF over Canadian territory.[372] Finally, both governments began developing national radar systems for joint civil and military use. Because of this negotiation a change to NORAD regional alignments was begun. Additional construction in Canada is required before the realignment is complete, but it will eventually result in the exclusive peacetime surveillance of Canadian territory by the CAF with control functions over Canada predominantly executed by the CAF.[373] The Canadian

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[369] Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 22 April 1975, No. 14, p. 14:4.

[370] Ibid., p. 5; and Cuthbertson, p. 91.

[371] Canada, House of Commons, SCEAND, Minutes of Proceedings and Evidence, 22 April 1975, No. 14, p. 14:8.

[372] Ibid.

[373] Ibid., pp. 14:8-9, 14:25-26.

decisions which have culminated in increased separation of national functions within NORAD have turned upon the perceptions that the air defense of North America has become a weak fourth priority for NORAD and that a resurgence of the air threat is very unlikely.[374]

The continuation of the Trudeau Doctrine is reflected in Canadian procurement programs, the Defence Services Program (DSP). The New Fighter Aircraft (NFA) program provides a case in point. The evaluation plan for the NFA has two basic decision criteria: military cost-effectiveness and industrial benefits.[375] Both of these decision elements have significant domestic elements as determinants. Industrial benefits involves a requirement by the Canadian government that a substantial part of its capital expenditure abroad be returned home in the form of technical and economic benefits to the domestic industry, thereby simultaneously reducing the balance of payments imbalance and providing new capital flows, employment, and technology for Canadian industries.[376] The benefits packages offered by the manufacturers are considered in three categories, benefits for the Canadian

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[374] Ibid., pp. 14:6-7, 14:26; and Cuthbertson, pp. 97, 100. It is interesting however that these hearings considered the possibility of a cruise missile threat, and as early as 1969 SCEAND had considered the susceptibility of the DEW line to air launched, short range, cruise missile attack.

[375] P.D. Manson, "Managing the New Fighter Aircraft Program," Canadian Defence Quarterly, Vol. 7, no. 4, (Spring 1978): 13. This is not a major departure from past practices. See McLin in this regard.

[376] Ibid., p. 12.

aerospace sector, benefits for other defense related manufacturers, and benefits for general manufacturing.[377] The importance of this decision element is reflected by the fact that the competition was extended by the addition of a semi-final short-list selection in order to encourage the manufacturers to increase their industrial benefits package.[378] The domestic elements of the military cost-effectiveness decision element are reflected in the specifications for air-to-air performance and air-to-surface performance specified in the original Request For Proposals and the Operational Effectiveness Evaluation criteria. These specifications and criteria are formulated with respect to the priorities and tasks assigned by Defence in the 70s and the DSR.[379]

The final way in which domestic determinants shaped Canadian defense policy was in the special attention given to the inculcation of federal loyalty among members of the CAF and the formation of a CAF unit with enhanced capabilities for control of civil insurrection. The election of the Parti Québécois brought the possibility of an independent Quebec one step closer to reality in 1976. By 1977 many junior officers and enlisted Francophone members of the CAF

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[377] Ibid.

[378] "Canada Picks F16 and F18A as Finalists in Competition to Become Its New Fighter," The Wall Street Journal, 24 November 1978.

[379] Ibid.; and J. Saywell, ed., Canadian Annual Review of Politics and Public Affairs 1975 (Toronto: Canadian Institute of International Affairs, 1976), p. 299.

were beginning to think about how this might affect their futures.[380] This concern had obviously penetrated the higher levels of the Department of National Defence some time earlier. On 26 February 1971 Donald MacDonald, Minister of National Defence, told Commons, "...certain French-speaking units, particularly those based on Valcartier, protected the security of Canada very well last October and November -- and the policy of bilingualism put forward here is to assure that that same loyalty and opportunity will exist in the forces in the future."[381] By March of 1977 the concern for the loyalty of Francophone members of the CAF had become much more acute. Late in that month General J.A. Dextraze, the Chief of the Defence Staff, visited the base at Valcartier to address a group of soldiers. A PQ candidate had received a majority of the votes cast at Valcartier in the 15 November 1976 election.[382] "I am a citizen who feels deeply in his heart the need to protect the priceless values which the army has always safeguarded by cementing Canadian unity," he said.[383]

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[380] "Plusiers militaires s'inquietent du sort des Forces armees dans un Quebec independant," Le Droit (Ottawa), 31 March 1977; and "Les militaires quebecois s'interrogent," Le Soleil (Quebec City), 30 March 1977.

[381] Canada, House of Commons, Debates, 26 February 1971, p. 3783.

[382] "Defence chief asks loyalty from soldiers in Quebec," Sun (Vancouver), 30 March 1977; and R. Desgagne, "General Dextraze Appeals to the Patriotism of Citizens in Uniform," Le Soleil (Quebec City), 30 March 1977.

[383] Ibid.

The concern stated by General Dextraze at Valcartier was reflected in one of his last acts as Chief of Defence Staff. On 1 April 1977 he directed the formation of a new branch in the CAF, the Special Service Force (SSF), which was fully constituted by the end of August.[384] The 3,500-man SSF was formed from the 1,000-man Canadian Airborne Regiment, formerly stationed in Edmonton, plus a helicopter squadron, and units of artillery, light armored vehicles, and engineers.[385] It was stationed in Petawawa, Ontario.[386] A controversy arose about the nature of the tasking of the SSF after Tory MP Allan McKinnon suggested that its location, training, and equipment indicated that it was tasked with the suppression of large-scale riots and insurrection in Quebec.[387] While Defence Ministry officials denied that the SSF was targeted against Quebec, they did admit that the SSF troops were "special" and that "responding to requests for help from civil authorities is a main function of the special force."[388] These two events clearly demonstrated that domestic determinants associated with the protection of sovereignty and

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[384]"Ottawa denies Quebec role for new force," The Globe and Mail (Toronto), 31 August 1977.

[385]Ibid.; R. Linney, "'Special Troops' Now Camped on PQ Border," Sunday Express, 4 September 1977; and R. MacGregor, "The armed forces: in from the cold," Macleans, Vol. 91, (6 November 1978), pp. 20-25.

[386]Ibid.

[387]Ibid.

[388]Linney, "'Special Troops' Now Camped on PQ Border."

maintenance of internal security, key elements of the Trudeau Doctrine, were important considerations in Canadian defense policy formulation long after the "demise" of the Trudeau Doctrine.

IV. CONCLUSION

As a Canadian of French and Scottish extraction and sometime political philosopher, Pierre Trudeau was uniquely suited to become Prime Minister in Canada in 1968. He inherited a domestic political situation in which the French-Canadian nation was finding, a century after confederation, the economic and political tools for the realization of their cultural and linguistic aspirations. He clearly perceived the threat posed by politicized bicultural nationalism in the Canadian body politic to national unity and the survival of federal institutions in Canada and had an immense dedication, based in his philosophy, to the preservation of Canadian unity and institutions. Trudeau entered politics solely to preserve the Canadian federation from schism along national lines and his singlemindedness of purpose carried over into all areas of policy formulation.

In the fields of foreign and defense policy Trudeau shifted Canadian policies away from their traditional international foci and insisted that they support the objectives of domestic policies: national unity and the survival of federal institutions in Canada. His revision, known as the "Trudeau Doctrine," was stated as declarative policy in three basic documents, Foreign Policy for Canadians, Defence in the 70s, and "Canada-U.S. Relations: Options for the Future."

Contemporary analysts of Canadian defense policy such as Byers, Cuthbertson, Douglas, and Gray have established a consensus that the Trudeau Doctrine was unable to respond to changing circumstances in the international arena and was abandoned by late 1976. By early 1979, however, the elements of the Trudeau Doctrine had been reiterated as policy foundations several times, no replacement policy had been announced, and the Trudeau Doctrine had not been repudiated by the Government. A close re-examination of defense policy between 1968 and 1978 showed several problems with the present consensus about the demise of the Trudeau Doctrine. The CAF, for example, started up and continued throughout this period a program to develop institutional bilingualism which clearly reflected the vitality of the Trudeau Doctrine and its domestic determinants. The 1969 cuts in Canadian forces assigned to NATO were demonstrated to reflect Trudeau's domestic objectives accurately. The consensus of contemporary analysts suggested that the search for a "contractual link" with the EEC was successful only because of the abandonment of Trudeau's domestic objectives, in the foreign and defense policy spheres, and the reassertion of the primacy of international considerations such as NATO. Re-examination shows that some of the assumptions and premises of the contemporary analysts are invalid and certain conclusions emerge in contradistinction to their consensus:

1. The "contractual link" served primarily domestic objectives and incidentally the NATO rapprochement.

2. The "contractual link" probably would have occurred without the purchase of German manufactured tanks.

3. Neither the employment nor the size of the Canadian contingent to NATO were significantly affected by the NATO rapprochement, the EEC "contractual link," or the DSR.

The re-examination of Canadian defense policy found additional evidence to support the continued vigor of the Trudeau Doctrine between 1968-1978 in the development of NORAD, the procurement of the New Fighter Aircraft, and the formation of the Special Service Force.

What are the implications of continued operation of the Trudeau Doctrine for NATO and North American defense? First and foremost, this implies that Canada's political problems with bicultural nationalism remain unresolved. So long as this state of affairs exists, Canadian energies will be turned primarily inward and low priority given to questions involving NATO or North American defense. The domestic incentives to manipulate defense and foreign policy will remain high and policy may be expected to be variable. Where policies have evolved toward maximum support of cultural goals, resistance to change will be especially high. In North American defense, for example, Canadians would have a large incentive, after gaining relative autonomy in the operation of NORAD, to resist re-evaluation of the air attack threat should the Backfire bomber or long range cruise missiles become a major threat to the continent. Similarly, Canadians could be expected to resist any suggestions for enlargement of its military forces in Europe on strictly

military grounds. The low priorities for external concerns might minimize the interest that Canadian policy makers would demonstrate in the political affairs on NATO and North American defense.

As long as Canadian bicultural nationalism is unresolved the threat of secession by Quebec remains. Such an eventuality would, at best, entail a period of mild uncertainty for NATO and NORAD. The potential results are much more sobering. Separation of Quebec from Canada could result in economic dislocations in both the United States and Europe. All of the bilateral agreements between Canada and the United States could be subject to renegotiation. These could include, for instance, mutual defense arrangements as well as boundary and trade agreements.

The potential political and economic destabilization of Canada would be an invitation to manipulation by other powers from within and outside Canadian alliance structures. Neither Europe nor the Soviet Union, for instance, would desire to see a fragmented Canada slip into American absorption. Americans, on the other hand, would be very uneasy should Quebec or English Canada decide to pursue a policy of neutrality and exclude American utilization of their territory for strategic defense.

Ultimately, the extension of the Trudeau Doctrine implies an increased threat of civil war in Canada. In Canada regional, language, and cultural cleavages tend to reinforce one another making resolution of problems difficult.

In historical case studies of federations, the process of disintegration was found to be most irreversible when politicization occurred and the satisfaction of competing demands became regarded as a zero-sum game. In almost all cases this led to civil war.[389] Recent polls of the Canadian populace have demonstrated that a majority of the Canadian populace would be willing to utilize force against Quebec if it attempted to secede and enlarge its territory (a long-standing plank of the PQ is to reclaim Labrador and extend its Arctic territory) or attempted to restrict commerce in the St. Lawrence Seaway.[390] In this respect Canadian bicultural nationalism is potentially a most potent threat to the security of the North American heartland, and by extension, to the members of the North Atlantic Alliance.

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[389]Ronald L. Watts, "Survival or Disintegration," in Richard Simeon, ed. Must Canada Fail? (Montreal: McGill-Queen's University Press, 1977), pp. 42-60.

[390]"Civil War Potential Seen," The Citizen (Ottawa), 30 September 1977; and "How Many Would Support Military Action?" The Medicine Hat News, 30 September 1977.

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